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Senate

(Legislative day of Wednesday, July 26, 2006)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable JOHN CORNYN, a Senator from the State of Texas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Eternal Father, strong to save, we commit to You the Members of this legislative body. Make them faithful in their work and dependent upon Your providence. Guide them in their decisions. Strengthen them for each task. In their moments of perplexity, remind them of their responsibility to bring deliverance to captives and relief to the oppressed.

May they faithfully discharge their duties to You and to country. Let Your blessings rest upon their labors and give them Your peace.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN CORNYN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 27, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN CORNYN, a Sen-

ator from the State of Texas, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. CORNYN thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

GULF OF MEXICO ENERGY SECURITY ACT OF 2006

The ACTING PRESIDENT pro tempore. Under the previous order, the motion to proceed to S. 3711 is agreed to and the Senate will proceed to consideration of the measure, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 3711) to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes.

The ACTING PRESIDENT pro tempore. In my capacity as Senator from Texas, I note the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. GREGG. On behalf of the leader, I will read the following statement:

This morning the Senate begins consideration of S. 3711, the Gulf of Mexico Energy Security bill. I now ask unanimous consent that when the bill is reported, it be subject to debate only until 10:45 this morning, with the time

equally divided between the two leaders or their designees, and that at 10:45 the majority leader be recognized.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. GREGG. Yesterday we had a full day of debate in relation to the Energy Security bill. We anticipate a number of Senators coming to the floor today in order to speak on the substance of the measure. The majority leader has indicated that the Senate could turn to other legislative items today if we are able to reach time agreements on those bills.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask to be recognized on the minority time relative to the debate on S. 2711.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, pending before the Senate is a bill that will allow us to drill in areas of the Gulf of Mexico that currently are not being explored for oil and gas. There is some controversy attached to this proposal—whether this is an environmentally sound decision to go into these areas. The fact is in many parts of the Gulf of Mexico there is currently exploration and drilling for oil and gas, so it is not the same as the debate on the Arctic National Wildlife Refuge in Alaska, where the administration was proposing that we drill in areas that have been protected for over half a century.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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This area of the world and off the coast of the United States has been explored for quite some period of time, and oil and gas have been brought out of it.

It is going to be an interesting debate and a legitimate debate over whether this is the appropriate amount of exploration and whether it is environmentally responsible to do it in this fashion. But we should never believe that this debate is about creating America's energy policy. Sadly, America today—with gasoline prices going through the roof, with no certainty about our future when it comes to energy—does not have a national energy policy.

This administration, for 6 years now, has had an opportunity to come forward with a proposal that would move America away from dependence on foreign oil, but the administration has not done so. The only proposals we have received from them relate to very isolated, narrow issues. One of them I referred to earlier, whether the United States should now start drilling for oil and gas in the Arctic National Wildlife Refuge.

The House and the Senate have rejected that idea on a bipartisan basis. Their belief, which I share, is that we have reached a rather desperate moment in American history if the only way we can look forward in terms of energy self-sufficiency is to start drilling in some of the most environmentally sensitive places in America. That is why I have opposed drilling in ANWR in Alaska. That is why it has been defeated. The majority has felt this is not the way we should go.

This is a different issue. This is about drilling in the Gulf of Mexico.

We will debate it this week and vote on it next week. But we should not believe that passage of this bill is the creation of a national energy policy. The fact is if we pass this bill next week, it will have literally no impact on gasoline prices today and no impact on our dependence on foreign oil. If we are going to address that, we have to do it in a larger context. On the Democratic side of the Senate, we have proposed a bill that will move us forward, looking at the national energy picture and moving us toward breaking our dependence on foreign sources of energy in the future. That is important for us to do.

Today we are so dependent on foreign sources of oil that we are at the mercy of the OPEC cartel, and at the mercy of the major producers we are doing business with in countries around the world buying their oil and gas—and these countries are virtually our sworn enemies. There are many countries in the world that we send billions of dollars to as we buy their oil and gas that turn around and use the money we send against us in the war on terrorism. That is as horrifying as I can think of at the moment, that we would send American dollars to these countries to subsidize terrorist activities. Yet it is happening because we are so dependent on these foreign sources.

What can we do? What should we do? First, we should look at the obvious. Sixty percent of all the oil we bring into the United States of America is used for our cars and trucks. All of us are burning that oil as we drive around America. Sadly, the vehicles we drive in are less fuel efficient and get less fuel economy every single year. The vehicles are heavier, less fuel efficient, and we burn more gallons of gasoline each year to travel the same number of miles we went last year. I am speaking on average. There are some people who have fuel-efficient vehicles, but by and large, when you look at cars and trucks in America, that is the story. It doesn't have to be this way.

In 1975, we faced long lines at gasoline stations with the prospect that OPEC was going to cut off oil to the United States, and our Government made a decision that the first thing we needed to do was to have more fuel-efficient cars and trucks. At that moment in time, the average fuel efficiency of the fleets across America was about 14 miles a gallon. The Government mandated that over the next 10 years manufacturers had to have an average fleet fuel economy of cars that would virtually double to almost 28 miles a gallon in 10 years. The manufacturers of cars and trucks—particularly those in the United States—said it was an impossible goal which we could never reach, and that if we did, it would compromise the safety of the cars we would drive and would invite importation of automobiles into the United States. We did it anyway. We imposed the standard to increase fuel efficiency in America. Between 1975 and 1985 the average fuel economy of cars in America went from 14 miles a gallon to 27.5 miles a gallon. We achieved our goal. We did it without all of the terrible outcomes the opponents had suggested.

What has happened in the 21 years since then? What has happened since 1985 when we reached an average of about 28 miles a gallon for cars in America? Sadly, the fuel efficiency of cars in America has gone down progressively. Now it is around 22 miles a gallon, or 21 miles a gallon, meaning we are driving less fuel-efficient cars today than we were 21 years ago. And, of course, there was the truck loophole. We said when it came to fuel economy we would make an exemption for trucks. Someone invented the concept of a sports utility vehicle, SUV, and we called it a truck. It escaped the requirements of fuel efficiency. We all know those SUVs we are glutting the used car lots in America with, have some of the worst fuel efficiency of any vehicles we drive. They have helped to drive down our efficiency in America and driven up our dependence on imported oil.

A national energy policy has to include more fuel efficiency and fuel economy of cars and trucks we drive—and it can do it.

Recently, my wife and I made a decision about a car. We wanted to buy

American and we wanted a hybrid. So we bought a Ford Escape hybrid. It is a good car, clean burning. We get about 28 miles a gallon, which is good but not great. I think we can do a lot better. Many of the cars that are coming in from overseas manufacturers get much better mileage. The people who make cars in America tell us there is no appetite for fuel-efficient cars in the United States. How wrong can they be? Toyota is about to come out with a Camry with a hybrid engine which will get better fuel mileage than most cars in the United States, and there is a 10-month waiting list to buy their cars. It tells me there is an appetite for obvious reasons. People understand gasoline is extremely expensive. If they can reduce their consumption of gasoline, they not only save money, but I think they know intuitively it is a good thing. It reduces the pollution and the greenhouse emissions.

Our failure to have a national energy policy leaves us in a position where we have foreign automobile manufacturers making fuel-efficient cars and hybrid cars and bringing them into the United States and selling them to American consumers who are anxious to buy their products.

The obvious question is, Why don't we have the leadership in Washington on a bipartisan basis that would create standards for fuel efficiency and fuel economy that would move the United States in the right direction on national energy policy? That is an important question. It is not addressed by this bill.

If we are talking about a national energy policy, this bill is not a national energy policy. There are other things which we should do as well. We have a situation in the United States where the oil companies are making outrageous profits. You can always tell when they have stepped over the line because when you open the morning paper, there will be a full-page ad where the major oil companies are explaining that they warrant that profit. Really?

ExxonMobil's second quarter profit jumped to the second highest level for any company in the history of the United States. ExxonMobil said today that it earned \$10.36 billion in the second quarter, the second largest quarterly profit ever recorded by a publicly traded U.S. company. The earnings figures were 36 percent above the profit it reported 1 year ago. High oil prices, according to this Associated Press story, helped boost the company's revenue by 12 percent to a level just short of a quarterly record.

Think of this when you go to fill up at the gas pump. You reach into your pocket, pull out your wallet or your purse and pull out the credit card to pay for the gasoline, and the money that is coming right out of your checking account is going to record profits of the oil companies across America.

What has been done in Washington to try to contain these profits, to try to

say that the oil companies are going too far by creating burdens and handicaps on individuals and families and businesses across America? The answer is nothing. Nothing has happened informally. The President has not called in the leaders of these oil companies and said it is not healthy for America's economy for you to be taking so much money out of this economy, driving up inflation, making the cost of business go up so that they have to lay off employees and can't expand if they would like to, and making the burdens for families who have to drive on a regular basis unbearable. The President has not done this. Other Presidents in history have. This President refuses to.

When it comes to the more formal means of turning to those Federal agencies that have the power over these oil companies, they have been virtually silent as Americans and consumers are fuming over what is happening at their gas stations.

I would say to my colleagues in Congress when they go home over this August recess to take some time and talk to the people they represent. Gasoline prices, frankly, are one of the biggest issues that trouble the people across America.

ExxonMobil's report of earnings comes a day after ConocoPhillips said it earned more than \$5 billion in the quarter at a time when many drivers in the United States are paying \$3 a gallon for gas—and more. ExxonMobil, the world's largest oil company by market cap, said earnings amounted to \$1.72 a share in the April-June quarter compared with the profit of \$7.64 billion or \$1.20 a share a year ago. These results top even Wall Street's expectations. The oil companies are raking in this money at the expense of consumers and businesses across America.

If we want a healthy business climate in this country, we cannot allow one industry—the oil industry—to make outrageous profits at the expense of other businesses as well as the families and individuals across America.

I think what we have before us is a bill that is worthy of debate about drilling in the Gulf of Mexico. It is something we will debate, but we shouldn't believe at the end of the day, even if it is passes, that we have addressed the most serious challenge facing America. We still need a national energy policy.

We should remember two numbers as we engage in this debate. The numbers are 3 and 25. If you look at all of the energy available in the world, the United States has access in the continental United States and offshore to 3 percent of the energy reserves of the world. Yet every year the United States economy consumes 25 percent of the energy that is produced in the world.

We cannot drill our way out of this situation. We have to have environmentally responsible exploration and production, but we also have to deal with conservation and efficiency. It is

not just a matter of reducing costs and reducing consumption. There is not another issue that is as important as energy. It is the issue of the environment. We have to understand that as we burn energy, as we destroy this energy for our economic purposes—carbon fuels, for example—we are releasing emissions into the environment. Carbon dioxide, for example, which ultimately form a cloud over our globe, this greenhouse effect which captures the heat of the Sun and warming the planet we live on to the point where we are seeing dramatic climate change in America and around the world. We are finding from those in the private sector who look at this in cold economic terms that decisions are made which suggest we are facing serious problems if we don't do something about it.

When the major insurance companies announce they are not going to write property insurance for many businesses on the gulf coast of the United States because of the severity of the hurricanes we have seen in the last few years, it is a wake-up call to America. When we know that the glaciers are melting, when we know the temperature is going up on this globe we live on, when we know species such as the polar bear are doomed to extinction if we don't make some serious changes, we have to combine this debate on a national energy policy with the national environmental policy that sets a standard—that says to the world engage us in this effort to protect the planet on which we live.

S. 3711 is an interesting and important bill. I am glad we are debating it. But make no mistake; it is not a national energy policy.

I reserve the remainder of my time and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent that immediately following my speech and the speech of the Senator from Georgia, Senator CHAMBLISS, that Senator CORNYN be recognized.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. ISAKSON and Mr. CHAMBLISS pertaining to the submission of S. Res. 541 are printed in today's RECORD under "Submitted Resolutions.")

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Texas.

Mr. CORNYN. Madam President, the Senate is now taking up a very important piece of legislation that would open a huge area in the Gulf of Mexico for deepwater exploration for oil and natural gas. I am proud to be a cosponsor of this important legislation and believe it is long overdue.

At the same time, I am amazed when I hear our friends on the other side of the aisle. The Democratic whip this morning said this was an interesting proposal and he hoped we would have a good debate. I agree with both of those

things. What he said I disagree with is that this is not about a national energy policy. He criticized the Federal Government not having a national energy policy.

This is about a national energy policy. This is about eliminating the moratoria we have created ourselves that have prevented the United States from relying more on domestic production of oil and gas and relying less on imported energy from places in trouble, regions of the world such as the Middle East.

As the current occupant of the chair knows, she and the senior Senator from Alaska have been fighting for years to open the Arctic National Wildlife Refuge for exploration and development. This is something that not only do Alaskans support but that would provide a tremendous boom to the United States in terms of our ability to develop domestic energy resources.

However, time and time again, for countless years, our friends on the other side of the aisle have said no, we cannot do that because it will damage the environment, it will disturb the flora and the fauna in that region of the world.

The fact is, it is possible for us to explore and develop domestic energy supplies in an environmentally sound way. Modern drilling techniques and production techniques are entirely compatible with preserving the environment and avoiding the kind of calamities that some want to scare the American people into believing would be routine.

I suggest this bill is all about developing a national energy policy. It is important to reducing our dependence on imported energy. In fact, it is estimated when lease 181 is developed, it will produce 1.26 billion barrels of oil, oil that is now selling for \$75 a barrel on the open market.

We all know Congress can pass a lot of laws. We can repeal a lot of laws. But the one law we cannot repeal is the law of supply and demand. In a booming economy in the United States, and countries such as China growing at a rate of 10 percent, we know the demand for oil and gas has increased. The problem is, the supply has not. This would pinpoint the solution at the only way we know we can deal with this in terms of supply, and that is increase it by 1.26 billion barrels of oil and—this is significant, too—5.8 trillion cubic feet of natural gas.

Natural gas is not only important because it is relatively clean burning, but it also is feedstock in a number of critical manufacturing industries in the United States. It is critical for our farmers and ranchers, but the price of natural gas has gone through the roof—again, because of huge demand and limited supply.

So it is absolutely critical to our ability to reduce our dependence on imported energy to both improve our national security and improve the prospects for our economy that we pass this legislation.

My colleague from Illinois, the distinguished Democratic whip, also said the answer is not to open places such as ANWR, it is to pass mandates from Washington on more fuel-efficient vehicles. I am all for people having the choice to buy vehicles that give them extended gas mileage, but I am against Washington, DC, mandating through some directive that says to my constituents in Texas, you can only drive a certain kind of car. I believe we ought to have the freedom of choice and that Congress should not be in the business of mandating what kind of cars we drive in my State or any State.

Finally, he mentioned that big bugaboo we hear and read so much about, global warming, another scare tactic that is used often to convince people that, no, we can't develop our domestic energy supply, we can't contribute more to the production of CO₂ in the atmosphere because it will exacerbate global warming. We are all worried about global warming. The fact is, there is some debate in science about what the causes of the current warming of the atmosphere are, whether they are periodic and we are seeing a spike now, a small spike now, but it will work out.

The main problem with the solutions that have been offered to address global warming is that most of the proponents penalize the United States and damage the American economy by subjecting us to onerous regulations that would not apply to some of our major competitors in the world, countries such as China and India that would not be subject, for example, to the Kyoto Treaty that was overwhelmingly rejected by the Senate the last time we considered that issue.

Rather than saying no, rather than blocking and blaming, what S. 3711 does is enormously positive. It has done a great job. I have to give a lot of credit to the Senator from Louisiana who has helped shepherd this bill to this point so far. This is a bipartisan bill which is the way we should do things more often, but this provides a very real solution to a very real problem. It is true we cannot rely on developing more oil and gas supply, but that is certainly what we have to do in the near term to midterm. We cannot rely solely on conservation.

I am all for conserving our energy supply, avoiding waste that can be avoided. I also think we ought to look for alternative fuels such as ethanol. They make a lot of sense as part of an overall energy diversity program. I think energy diversity should be our national policy because if we rely on one type of fuel or if we rely on one policy, such as conservation, we cannot hope to get ahead of the curve when it comes to the growing demand not just in the United States of America but countries such as China that are growing at the rate of 10 percent a year, and other competitors in the world economy.

So we have to look at conservation. We have to look at additional supply.

We have to look at alternative forms of fuels, renewables. Texas just moved ahead of California in terms of production of wind energy. That certainly has a lot of promise. It is not the only solution, but it is a part of the overall solution. Then, of course, we have to look at developing nuclear energy in this country. France, hardly a model that I would hold up in some areas, is a model when it comes to dealing with nuclear energy. America produces about 20 percent of our electricity from nuclear power. France, on the other hand, produces 80 percent of their electricity using nuclear power. They have figured out that one way to address the environmental concerns but also produce the kind of energy that a growing economy needs is nuclear power.

Thank goodness in the Energy bill we passed last year, we have now the prospect of nuclear energy taking over more and more of the demand for our energy supply in the United States.

So I believe this is an enormously important piece of legislation. It does provide a part of the solution to our overall challenge. It will have a very direct impact on the prices that consumers pay at the gas pump because most of the cost of gasoline is related to the price of oil. We know that is not the only cause of high gas prices. Another problem is we have seen some block the development of refinery capacity, and we have had no new refineries which are what transmute the oil into gasoline. We have not had any new refineries built in this country since the early 1970s, although we have seen a recent expansion of existing refining capacity which has helped.

But, here again, America is no longer the principal consumer of energy in the world. We are just one of a number of large competitors for the same scarce supply. So it is absolutely critical we undertake measures such as this as part of our national energy policy. So I would disagree respectfully with my colleague from Illinois, the distinguished Democratic whip. This is all about a national energy policy, and it is a part of what we must do if we are going to keep our commitments to the American people to try to help them keep more of the money they earn and let them spend it as they see fit and not have to spend it on rapidly escalating gasoline prices and other energy prices that not only hurt consumers but also make America less competitive in the global economy.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Madam President, we are on a subject that is near and dear to the heart of the Senator from Florida—both Senators from Florida. It is a subject of which, a year ago, in bringing up an energy bill, there was an attempt to drill off the coast of Florida, and this Senator had to start his first filibuster. We were able to resolve that with the help of the distinguished senior Senator from

New Mexico, Mr. DOMENICI, who, true to his word, let the Energy bill go on without bringing up the portions with regard to drilling off of Florida when it went to conference with the House of Representatives. And I have thanked Senator DOMENICI many times on this floor for being a man of his word.

I must say, in the negotiations that have brought this legislation to the floor now, I give great credit to the senior Senator from Louisiana, Ms. LANDRIEU, in looking out for the interests of her State in receiving revenue—what would come from new drilling that this legislation addresses not only for Texas, Alabama, Mississippi, but especially for Louisiana. It addresses those revenue needs that the State needs since it is losing all of those wetlands. We saw the results of that in the great tragedy of Hurricane Katrina a year ago. So I give great credit to Senator LANDRIEU.

But I also give great credit to Senator LANDRIEU because she knew the interests of Florida had to be protected in order for her to get an agreement because both Senators from Florida were willing to filibuster any legislation that threatened the interests of Florida. To her great credit—Senator LANDRIEU's—she worked with the two Senators from Florida. She also worked with the other gulf coast Senators. And what has been crafted is a piece of legislation that addresses just the Gulf of Mexico.

Now, you might wonder: Why does Florida not want its waters off the coast of Florida to be drilled? Well, this Senator is going to explain that. Certainly, there are economic interests with a \$57 billion a year tourism industry that depends on pristine beaches. Certainly, there is the delicate environment—the 10,000 Islands, the Big Bend area, the bays and estuaries, Apalachicola Bay—all of these environmental areas that are so delicate to the ecology of the oceans where so much marine life is spawned.

But there is another big reason that most people do not understand, and it is right here as shown on this chart. Most people do not realize that the entire Gulf of Mexico off of Florida is restricted airspace. Why? Because this is the largest testing and training area in the world for the U.S. military. All of this area has restricted air use and naval use.

You wonder: When the U.S. Atlantic fleet training in Vieques—the little island off the eastern end of Puerto Rico—when it was shut down, why did most of that training come to Florida? It is because you can do combined air-sea exercises and land exercises from Eglin Air Force Base, Pensacola NAS—Naval Air Station Pensacola. Squadrons of Navy F-18s come down and spend 2 weeks, 3 weeks at a time, and are stationed there because when they lift off out of Key West NAS, within 2 minutes they are over restricted airspace where they can go about their training.

So here is a large part of the reason—as shown right here on the chart—why there is no drilling off the west coast of Florida in the Gulf of Mexico. The importance of what is called the Eglin Air Force Base Gulf Test and Training Range has been emphasized in the letter that was received by the Senate Armed Services Committee, signed by the Secretary of Defense, Don Rumsfeld. That letter was delivered to the committee last November, in which he says: You cannot have oil and gas rigs out here where we are testing and training sophisticated weapons systems, and where we are training our pilots—Air Force and Navy pilots—and where we now will have the F-35 all-pilot training for the new Joint Strike Fighter, the F-35 for all branches of service, all out here because of that restricted space. So Secretary Rumsfeld made it very clear: You cannot have oil and gas rigs.

I remember the Senator from New York, Mr. SCHUMER, one day said: Why should Florida be protected? Here, this is the reason. This is the historical reason, in addition to the reasons of the environment, as well as the economy of Florida in protecting our tourism industry.

So this is what we are dealing with, as shown on this chart. All of the yellow on this chart off the State of Florida is going to be protected until the year 2022. That is three planning periods of 5 years each. That is 15 years after the planning period of 2007 kicks in. All of that area—which is 125 miles from Fort Walton, it is 100 miles from Perdido Key, 100 miles off of the Alabama coast right here. Then it comes around, and it then follows this critical line, this black line that is called the military mission line, a military mission line that was established in 1981 by the Department of Defense in that they said they wanted no drilling east of that line. Therefore, that line becomes the critical line, of which you see that most of the area of Florida, then, is protected from drilling. And that is all the way through the year 2022.

That area, by the way—from this point off of Clearwater, which is in the Tampa Bay area—is 235 miles due west of the Tampa Bay area beaches. For Naples, it is in excess of 300 miles. No drilling. So you can see the protection for Florida also happens to be the protection for the U.S. military in these ranges.

Now, we have had people come to the floor and say they are concerned about this going down to the House. The House-passed bill basically lifts the moratorium for drilling off the Outer Continental Shelf of the entire United States—the Pacific coast, the Atlantic coast, and so forth.

I want to speak about the assurances I have been given when this bill will leave here and go to the House of Representatives. But let me tell you why this bill only deals with the Gulf of Mexico. From Florida's standpoint,

from the military's standpoint, from the Nation's defense standpoint, we do not want to lift the moratorium and have drilling off the east coast of Florida and the rest of the southeastern United States because, look right here on this chart. Here is another major Air Force and Navy training area off the northeast coast of Florida and off the east coast of Georgia. In addition, right there is a place called Cape Canaveral. The Cape Canaveral Air Force Station is where we launch our rockets to put all of our satellites, our defense satellites, into equatorial orbit.

You can't have oil rigs out here where you are dropping the first stages of the expendable booster rockets that are putting our highly sophisticated and highly classified defense payloads into equatorial orbit. Just to the north of Cape Canaveral is a place called the Kennedy Space Center. It happens to have launch pad 39A and launch pad 39B from which we launch the space shuttle and, after the year 2012, it is estimated we will launch the new space vehicle called the Crew Exploration Vehicle. You can't have oil rigs out here where we are dropping the solid rocket boosters from the space shuttle when we launch, those two big candlesticks on either side of the external tank of the space shuttle. After they have expended their fuel 2 minutes into flight, they separate from the space shuttle and parachute back into the Atlantic Ocean. They are then brought back in, refurbished, and reused. You can't have oil rigs out here.

So as people talk about wanting drilling off the east coast of Florida, which this legislation in front of us does not address but the House bill does address, you can't do that out here with an interest of the Nation at stake—the military preparedness plus the defense of this country, with the important payloads that we are launching out of the Cape Canaveral Air Force Station, as well as the Kennedy Space Center. When people say that this legislation we are passing in the Senate does not address protections of the east coast, the east coast isn't a threat. Right now the east coast is under a moratorium until the year 2012. That is not where the threat is. The threat is here in the Gulf of Mexico. That is why we have the legislation before us that we do. That is why this Senator is coming to the floor to announce my support for this legislation, which I have helped craft and on which I have waited until today, until I had assurances that this legislation was not going to be in any significant way changed when it leaves this Chamber and goes down to the House.

What are those assurances? I have been authorized to say from the majority leader, Senator FRIST—and I am reading from an e-mail to me. This is a quote Senator FRIST sent to me today—

The Senate bill is a carefully crafted compromise and I believe it represents what is achievable in the Senate this year. I will not

bring a bill back before the Senate that does not provide adequate protections to the State of Florida. I look forward to working with both Florida Senators to achieve this goal.

Yesterday, I spoke personally to Senator FRIST on the telephone. He told me he would do everything within his ability to keep it to the Senate version when the bill returns to the Senate. That is a pretty good assurance for this Senator to protect the interests of Florida.

I went to our leader on this side of the aisle, the Democratic leader, and Senator REID has written a letter to me:

Dear Senator Nelson:

It is my expectation that the House of Representatives will accept S. 3711 as passed by the Senate without amending it and without modifying it in a conference committee. If the House does not accept the Senate bill as passed, I will join other Senators and Senator Nelson and produce the votes to sustain a filibuster to prevent the passage of the bill when it would return to the Senate.

That is the end of the quote from Senator REID's letter.

Around here, you have to take a man at his word. I accept the word and the assurances of the two great leaders of our two great parties in protecting the interests of Florida. I am prepared to come and support this legislation and to thank the leadership on both sides as they have worked with the two Senators from Florida to try to do what is right for the country.

In the legislation that addresses the drilling, there is another important component for Florida; that is, there are a few leases out in this area from years past, decades past, that have never been drilled because they have never gotten the permits because of all that we have been going through, keeping these waters protected in a moratorium. Senator LANDRIEU has crafted a portion of the bill that revenue will go to four Gulf States from the revenue generated to the Federal Government from new leases. The interest of Florida, since there won't be drilling, is to get rid of the ancient leases that are never going to be drilled. So there is a provision in the legislation that will allow the swapping of these leases by their value for new leases in the area that can be drilled in what is called lease sale 181, and other leases in the central and western Gulf of Mexico, new leases that we want to be drilled where a swap would occur.

The PRESIDING OFFICER. The minority's time has expired.

Mr. NELSON of Florida. People say that is voluntary for the oil companies.

The PRESIDING OFFICER. The time of the minority has expired.

Mr. NELSON of Florida. I ask unanimous consent for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Florida. You would ask, if it is voluntary, why would they do it? Because there is a financial incentive for oil companies who want to pay for new drilling in 181 or elsewhere

in the central or western gulf, not to pay that by swapping out their financial interest in these ancient leases that are still here. They are of minor value compared to the entire value of the leases elsewhere in the Gulf of Mexico, but nevertheless that is there.

Why it is important that we keep the Senate bill intact and not expand it with any version of the House is because the House-passed legislation works for the Gulf of Mexico, but the House-passed version lifts the moratorium for the entire country and allows, with State legislative approval, drilling to come up to 3 miles off the coast of a State. Of course, Atlantic seaboard Senators, Pacific Ocean Senators, would be violently opposed to that, and then the Senators who start realizing that it starts getting into their military-restricted areas, their defense-restricted areas, would find that enormously objectionable. That is another reason we need to keep this legislation intact as it goes to the House and then comes back to the Senate.

My colleague from Florida, Senator MARTINEZ, has made several statements on the floor—and it is my understanding that he will again—that he is given assurances that the protection of Florida will be there when this legislation comes back from the House. It is the privilege of this Senator from Florida to support this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I am glad to hear the remarks of the Senator from Florida, and I am glad that he feels able to support this legislation. It is something I have worked on for quite a number of years and supported as a Senator from Alabama. We have a lot of oil and gas right off our coast. We believe this could be done safely and be great for the country economically. I am pleased that the distinguished Senator believes he can support this bill. We do have to work with the House of Representatives. They do have input in the legislation. But, hopefully, when all that is settled, we will have something we can pass. It is critical for our economy.

I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. SESSIONS are located in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The majority leader is recognized.

Mr. FRIST. Madam President, we are on the Gulf of Mexico energy security bill, a bill that has been very carefully crafted in a bipartisan way. It has been our approach from the outset. One of the real challenges we have is taking a bill which is delicate, in the sense that it has been carefully crafted, vetted, and addressed for the last year—and there are many other people who would like to add other energy amendments or bills to this single, focused step, this

being built upon the comprehensive energy bill, a bipartisan bill that was passed a year ago this week. So it is a challenge to keep the body focused on this issue. In doing so, there are procedures here shortly that are important to accomplish delivering as many as a billion barrels of oil to the American people and over 5 trillion cubic feet of natural gas, enough gas to heat or cool 6 million homes for 15 years. We have it within our grasp.

We had a good vote yesterday morning in terms of getting on the legislation, which we are on, and now, from a leadership standpoint, we have to stay focused on this bill, even though there are a lot of other good ideas out there, and complete this step and our action in the Senate. Thus, I will go through a series of steps here, and we will have comments on that.

AMENDMENT NO. 4713

Mr. FRIST. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. FRIST] proposes an amendment numbered 4713.

Mr. FRIST. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end insert the following:

The effective date shall be 2 days after the date of enactment.

Mr. FRIST. Madam President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4714 TO AMENDMENT NO. 4713

Mr. FRIST. Madam President, I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. FRIST] proposes an amendment numbered 4714 to amendment No. 4713.

Mr. FRIST. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On line 1, strike "2 days" and insert "1 day".

CLOTURE MOTION

Mr. FRIST. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The clerk will report the cloture motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby

move to bring to a close debate on the motion to proceed to Calendar No. 529, S. 3711: A bill to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes.

Bill Frist, Pete Domenici, Richard G. Lugar, Mitch McConnell, Kay Bailey Hutchison, Jim Bunning, Trent Lott, Christopher S. Bond, Tom Coburn, Wayne Allard, David Vitter, Mel Martinez, Thad Cochran, Jim DeMint, John Cornyn, Lindsey Graham, Jeff Sessions.

Mr. FRIST. Madam President, I ask unanimous consent that the live quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. Madam President, this cloture vote will occur on Monday. We have not set the specific timing, but I anticipate that vote would be at 5:30. We will set the exact time later today.

This will be a very important vote, and it is critical that Senators be here, and they should prepare to be here at 5:30. We will announce the specific time later today. I ask them to adjust their schedules accordingly. In all likelihood, we will be voting on Monday. I hope they have adjusted their schedules accordingly.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. REID. Madam President, I have expressed to the majority leader my disappointment in not allowing amendments on this bill. We had agreed to just have five, with time agreements on each of those. The leader decided not to do that. I think that is unfortunate. I hope that, moving beyond that, we can have a better idea of what we are going to do for the rest of the work period.

The majority leader indicated to me that he has a very important meeting shortly after lunch, and he will indicate to me at that time more of a direction as to what we can expect this afternoon, tomorrow, and the rest of the work period before the August recess.

I also want the record to reflect, as I said yesterday, that I appreciate the cooperation of Senator BINGAMAN. Without his agreement, this parliamentary situation we find ourselves in would not have occurred until late this evening. This will allow us this afternoon the possibility of doing other work. So I appreciate very much Senator BINGAMAN being his normal cooperative person. He has strong feelings about this legislation. He expressed them to me personally and on the Senate floor. But he is always someone who works for the good of the Senate. I appreciate that very much.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Madam President, while the majority leader is still here, I understand the procedure he has followed, and that is to do what we refer to here as "filling the tree" with amendments so that other amendments cannot be offered.

I ask unanimous consent that the pending amendment be set aside so that I may be able to offer an amendment.

The PRESIDING OFFICER. Is there objection?

Mr. FRIST. Madam President, reserving the right to object, filling the tree is the procedure I have used in order to accomplish what is a very important next step in building on, as I said, the comprehensive Energy bill the managers worked for last year, which has been tremendously successful as we look at alternative energy, such as ethanol or, in the future, nuclear and biomass, looking at the supply side and the consumption side of the equation. What is challenging in floor management is being able to now build upon that bill from last year and take one step at a time.

As we are commenting on this now, there are so many good proposals, substantive proposals, that would help our dependence on foreign sources of oil. We are 60 percent dependent today on foreign sources of oil. We have to change that by lessening our energy dependence with homegrown energy. That is what we will be able to do on the floor today in this carefully crafted, focused, very discrete bill that looks at the Gulf of Mexico, which has revenue sharing that has been carefully worked out with Members in this body for the last 6 to 7 months in terms of the specifics. With that, we will be able to deliver this bill to the American people and address the squeeze we know they are feeling today when they are filling up the tractor or the car or preparing to go on vacation or air-conditioning their homes or heating their homes at other times of the year.

With that being the approach, I will object to setting aside the amendments because it would mean actually trying to decide among many good proposals that would come to the floor—and it is not that they are not good or they won't be addressed in the future. We are going to keep this bill focused, tight, and clean.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BINGAMAN. Hearing objection, I wish to take a few minutes and explain the amendment I was intending to offer so that Senators will understand what the alternatives are that we could be considering today.

Madam President, just to pick up on the point the majority leader was making, I certainly want to build on the good work we did in this body last year with the passage of the Energy Act of 2005. I believe very strongly that the way to do that is to have an open process, allow Members to offer amendments, allow those amendments to be voted on, and see what the will of the Senate is. Unfortunately, that is not the process which is being used in connection with S. 3711.

I stated extensively yesterday the substantive reasons I think S. 3711 is

not good legislation, and I will repeat a few of those points.

Let me talk about the amendment I wanted to offer this morning. The amendment I was going to offer consists of the text of S. 2253, which is the legislation we reported out of the Senate Energy and Natural Resources Committee on a bipartisan basis in March. My amendment would take that language and it would modify it to add the so-called 181 south area for leasing.

Let me put up a chart so everybody knows what is involved here. The white area on this chart, the box there, is the area that we proposed in our Energy Committee bill that we reported to the floor to open for leasing. That thatched area to the right of that, to the east of that on the map, is an area which would be open with the consent of the Secretary of Defense or under appropriate circumstances and conditions which would be specified by the Secretary of Defense. That is what our bill called for.

As I say, I would propose in this amendment, if I were able to offer it, to add the yellow area below that which is now being referred to as 181 south.

The legislation we came out of committee with and I would desire to have us consider on the floor today would require that the lease sale be conducted within a year. It would provide that leasing in the 181 area south be done as soon as practicable after the date of enactment.

Overall, the amendment I would like to have been able to offer would make available 7.37 trillion cubic feet of natural gas and 1.58 billion barrels of oil. These are substantially more energy resources than the 5.83 trillion cubic feet of natural gas and the 1.26 billion barrels of oil made available under the pending legislation; that is, S. 3711.

At the same time, the legislation we came out of committee with and that I wish we were able to consider on the floor would provide there would be no leasing closer than 100 miles from the Florida coast at any point and leasing east of the military mission line under the bill, as I indicated, could only occur with the prior consent and agreement of the Secretary of Defense.

The 1-year timeframe for conducting the lease sale in this 181 area is intended to allow for full compliance with all environmental laws. The amendment does not impose any new leasing moratorium, such as the pending bill would. Also, it does not divert revenue from the Federal Treasury to four coastal States, as the pending bill proposes to do.

Earlier this year, I was pleased to work with Senator DOMENICI to develop and introduce S. 2253. That is the basis of the amendment I am offering. We had a hearing on the bill in committee. We reported the bill with a very strong bipartisan vote.

However, after the committee reported its legislation, several colleagues indicated they had problems

with this bill, in particular my colleagues from Florida, who sought a new long-term moratorium off the Florida coast, which has been agreed to by those who are now advocating the pending legislation—this is a 16-year moratorium in a very large area—and my colleagues from other Gulf Coast States have insisted upon a provision that cedes to their States Federal revenues for oil and gas produced in the Federal Outer Continental Shelf off their coasts. Thus, S. 3711, which was written by Senators DOMENICI, LANDRIEU, and others, includes significant new provisions that I believe undermine the goals of our original bill.

I am disappointed we did not have a chance to vote on the bill which was reported out of the committee. I believe the Senate would have acted favorably on that bill had it been given an opportunity to do so.

S. 2253 is good energy policy; it is responsible fiscal policy. S. 2253 would have resulted in oil and gas being produced without locking up vast areas of the Outer Continental Shelf and without raiding the Federal Treasury at the same time.

As I stated in the Senate yesterday, because S. 3711, which is the pending bill, locks up these vast areas of the Outer Continental Shelf off the coast of Florida, and because the bill provides for the sharing of billions of dollars in Federal revenues, I must strongly oppose it.

The pending bill, S. 3711, expands areas under moratoria and sets precedence for imposing new long-term congressional moratoria.

This next chart is the one many Senators have been using to make many different arguments on the Senate floor, but the point is very clear when one looks at this chart. There is a vast area, the yellow area on the chart, that is being put off limits to oil and gas development for a very substantial period, 16 years, longer than virtually any of us are likely to be in the Senate.

The Department proposed, as I understand it, in return for gaining access to 2.76 trillion cubic feet of natural gas over what the Interior Department proposed—this bill currently pending in the Senate puts 21.83 trillion cubic feet of natural gas off limits until 2022. I think that is a mistake. I think it is a bad deal for America.

Two of these areas within the original 181 lease sale area that are more than 100 miles off the Florida coast would be offered for lease under my amendment. And most importantly, my amendment would not impose any new moratoria on Outer Continental Shelf leasing.

Likewise, the amendment I would offer would not include the ceding of Federal revenues to the four Gulf Coast States.

Let me make it very clear: I recognize there are needs to protect the wetlands along the gulf coast, and I recognize that the Federal Government should provide assistance to these

States to accomplish that wetland restoration and protection work. But I believe very strongly that should be money that comes out of the Federal Treasury. We should not be taking a stream of revenue that has historically always gone into the Federal Treasury—that is, royalty from production in the Outer Continental Shelf—we should not take that stream of revenue and divert a substantial portion of it directly to those States. We should, instead, bring those funds into the Federal Treasury, determine what the needs are for those States and for other communities in the country, and then appropriate the funds appropriately to meet those needs.

That is my strong view. That is what the amendment I would have offered would contemplate, that is what current law contemplates, and that is what the Supreme Court has always said was the appropriate course. Of course, I cited former President Truman and his strong position, which is consistent with the position I am advocating today.

In summary, the amendment I would like to have offered this morning, if the majority leader had not blocked our ability procedurally to offer amendments, would open this area called 181 south and also a larger portion of the 181 area originally than the pending legislation proposes to do. There would be an additional 1.5 trillion cubic feet of natural gas made available. There would be an additional 300 million barrels of oil made available for our Nation over and above what is being made available under S. 3711.

The amendment would accomplish this in a manner that protects Florida's coast without imposing new leasing moratoria. It would also do so in a manner that protects the fiscal interests of our Nation. I regret I am not able to offer the amendment today for consideration.

Moreover, the amendment would achieve greater oil and gas production without setting dangerous precedents. I think one of the most disturbing things about what the Senate is preparing to do, if it goes forward and adopts S. 3711, is that we are setting precedents, both for putting areas off limits to production for long periods of time—a 16-year statutory moratorium—for areas that have not been subject to statutory moratorium, in some cases at all. I think that is a big mistake. I think the precedent we are setting with regard to so-called revenuesharing or ceding of revenues, Federal production revenues and royalties to coastal States is also a very major mistake, and it sets a very bad precedent which will come back to haunt us.

I know very well that the other Senators who represent coastal States will in the future come to this Senate floor and insist, as the Senators from these four Gulf Coast States have insisted, that if production is going forward off their coasts, their States are entitled to Federal revenue as well.

This is bad policy. This is bad energy policy. It is bad fiscal policy. It is a course of action that I believe the Nation will regret in future years if we go forward with it.

I am disappointed that there is no place in this debate for us to offer amendments to correct the policy. I am also disappointed that there is no place in this debate for us to address other important energy-related issues. We should be proposing amendments to this legislation with regard to energy efficiency. We should be considering the legislation that Senators OBAMA and LUGAR have proposed with regard to vehicle fuel efficiency. We should be considering a variety of bills—S. 2747, the Enhanced Energy Security Act, which tries to put in place a variety of provisions that would add to the efficiency with which we use energy in this country. All of those are legitimate issues we should be able to address by amendment to the Energy bill on the Senate floor.

In fact, if we were building on the Energy Policy Act work this Congress did last year in the first session of this Congress, we would be, in fact, allowing those other very meritorious amendments to be considered as part of our debate as well.

I regret that. I regret the decision of the majority leader to deny us the right to offer amendments.

Madam President, I ask unanimous consent my amendment be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

(Purpose: To provide a complete substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. OFFSHORE OIL AND GAS LEASING IN 181 AREA AND 181 SOUTH AREA OF GULF OF MEXICO.

(a) DEFINITIONS.—In this section:

(1) 181 AREA.—The term “181 Area” means the area identified in map 15, page 58, of the Proposed Final Outer Continental Shelf Oil and Gas Leasing Program for 1997–2002 of the Minerals Management Service.

(2) 181 SOUTH AREA.—The term “181 South Area” means any area—

(A) located—

(i) south of the 181 Area;

(ii) west of the Military Mission Line; and

(iii) in the Central Gulf of Mexico Planning Area of the outer Continental Shelf, as designated in the document entitled “Draft Proposed Program Outer Continental Shelf Oil and Gas Leasing Program 2007–2012”, dated February 2006;

(B) excluded from the Proposed Final Outer Continental Shelf Oil and Gas Leasing Program for 1997–2002, dated August 1996, of the Minerals Management Service; and

(C) included in the areas considered for oil and gas leasing, as identified in map 8, page 37 of the document entitled “Draft Proposed Program Outer Continental Shelf Oil and Gas Leasing Program 2007–2012”, dated February 2006.

(3) MILITARY MISSION LINE.—The term “Military Mission Line” means the north-south line at 86°41' W. longitude.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Minerals Management Service.

(b) 181 AREA LEASE SALE.—Except as otherwise provided in this section, the Secretary

shall offer the 181 Area for oil and gas leasing pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) as soon as practicable, but not later than 1 year, after the date of enactment of this Act.

(c) 181 SOUTH AREA LEASE SALE.—The Secretary shall offer the 181 South Area for oil and gas leasing pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) as soon as practicable after the date of enactment of this Act.

(d) EXCLUDED AREAS.—In carrying out this section, the Secretary shall not offer for oil and gas leasing—

(1) any area east of the Military Mission Line, unless the Secretary of Defense agrees in writing before the area is offered for lease that the area can be developed in a manner that will not interfere with military activities; or

(2) any area that is within 100 miles of the coastline of the State of Florida.

(e) LEASING PROGRAM.—The 181 Area and 181 South Area shall be offered for lease under this section notwithstanding the omission of the 181 Area or the 181 South Area from any outer Continental Shelf leasing program under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344).

(f) CONFORMING AMENDMENT.—Section 105 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Public Law 109–54; 119 Stat. 522) is amended by inserting “(other than the 181 South Area (as defined in section 2 of the Gulf of Mexico Energy Security Act of 2006))” after “lands located outside Sale 181”.

Mr. BINGAMAN. I yield the floor.

The PRESIDING OFFICER (Mr. ENSIGN). The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise today in strong support of S. 3711, and I specifically rise in strong support of the majority leader's actions to ensure that we have a focused debate on the carefully crafted provisions of S. 3711 and not be thrown off track by numerous amendments about all sorts of ancillary energy and other issues because I rise in support of actually doing something, not merely talking about everything, as the Senate so often wants to do, and at the end of the day doing nothing. That is the choice we have.

The choice is what we so often do: Talk about everything under the Sun, have wide-ranging debates. This body is a great debating society, but at the end of the day does nothing. The other choice is focusing on the carefully crafted provisions of S. 3711, having a fair debate on those provisions and passing it into law, doing something concrete, real, meaningful, that will have an impact soon on people's wallets, on people's pocketbooks, on our energy future.

That is what this choice is all about, and I stand strongly for doing something and not just talking a good game. What is it we would be doing, Mr. President?

Well, S. 3711 would be doing more to secure our supply of domestic energy than anything we have done in a long time. It is not everything under the Sun, it is not a silver bullet, it is not a magic wand, but it is a major, concrete, specific step forward that would help secure our energy future. What is that? It is 8.3 million acres of area in

the gulf opened to exploration and production for the first time ever; 1.26 billion barrels of oil, brandnew production; and 5.83 trillion cubic feet of natural gas, brandnew production. That is doing something, and that is doing something that will have an impact on our energy future—not in 20 years, not in 10 years, but very soon.

We will see this production in a few years and we could see its impact on prices even sooner than that. As folks in the energy industry recognize that we are opening this brandnew area to both oil and gas exploration, we could see a positive impact, bringing prices down even sooner than the production would begin.

So I am in support of doing something strong, concrete, and meaningful—not just talking a good game and, at the end of the day, doing nothing.

The distinguished Senator from New Mexico made some points in opposition to this proposal. He said it was very regrettable that he and others were not completely open to propose any amendment with regard to this bill. Let's not kid ourselves. Let's understand what is going on here. The distinguished Senator is absolutely flat out against the central provisions of this bill. His effort is to gut this attempt at moving us forward in terms of energy independence. He would take out of this bill one of its most central and important components: royalty share.

It is easy for him to take this position. His State of New Mexico gets enormous Federal revenue from production onshore on Federal land. Everything that is produced on Federal land in his State—as in any other State—his State gets 50 percent of that royalty. So it is very easy for him to take the position that offshore should be a completely different situation; offshore should be zero. That doesn't affect his constant revenue stream for States such as his in New Mexico or for States such as Wyoming, where 50 percent of the revenue from onshore mineral production royalty is going directly to his State coffers.

In addition, if you look at the 50-percent Federal share, most of that goes to a Federal fund that goes back to the States in terms of land reclamation as well, so that all told, 90 percent of that royalty produced on Federal land in his State essentially goes back to the States. So he has a very convenient situation in his State which has been that way for years. It is very easy for him to protect that but, at the same time, block coastal States from having a similar situation.

But there is no good reason we should do that. We should equalize the playing field. We should make Federal policy equal and right. Look at last year, 2005. Federal offshore production yielded, in terms of Federal revenue, \$6.32 billion. Of that enormous total—\$6.32 billion—only \$75 million went to the States in terms of a royalty share. Compare that to the situation of the Senator from New Mexico. Federal onshore revenue

for that same year yielded \$3.5 billion of royalties, and half of that went to the States—\$1.75 billion went to the States of New Mexico and Wyoming and many other States.

So, of course, it is easy for the Senator from New Mexico to protect what he already has but try to deny it to coastal States. The fact is the impacts are the same, and the impacts are dramatic. He talked about them himself, the dramatic negative impacts with regard to coastal erosion and other impacts on the Louisiana coastline and all of the coastlines of the Gulf States. That is one of the primary reasons we have royalty share at the heart of this bill, which the Senator from New Mexico would strip out with his amendment.

But that is not the only reason we have that royalty-sharing provision in the bill. The predominant reason is the overarching national reason, the reason that will promote our energy independence in the future, and that is simple. If we allow coastal States to share in the royalty obtained from production off their shores, we can change the dynamics dramatically. That will change the not-in-my-backyard attitude of so many coastal States and usher in more domestic production in the future. That is the model we are building with S. 3711, the positive model that will do, over time, even more than what this bill alone does, opening up 8.3 million acres, 5.83 trillion cubic feet of natural gas, and 1.26 billion barrels of oil. That is what the bill itself does. That is significant. That is concrete and positive. But when we put this model in place of sharing royalties with the appropriate coastal States, then we open possibilities in the future even more. That is why this royalty-sharing provision is so central and so important to this bill. It is a new model to get us to greater energy independence, to get us away from the pervasive not-in-my-backyard mentality that has gripped virtually every State around the country and has shut off area after area after area to offshore oil and gas production.

This bill will do all of those things in a fair and reasonable way. It will open new areas of land to production, it will open enormous new energy assets, and it will create this model that we can build on in the future to create more energy independence for our Nation. That is what we so desperately lack.

As I said at the beginning, this body is very good at debating, at talking, endlessly sometimes, about every proposal under the Sun, but so often at the end of the day we do nothing after those endless debates. This is an opportunity to do something real and concrete, and to create a model that will provoke even more action in the future. Because we can have endless debates in this Chamber about securing our energy independence, and every Senator here in the context of this debate will likely come to the floor and talk about his or her commitment to

securing our energy independence, what are we going to do about it? If we don't change the dynamics of our energy policy, the not-in-my-backyard mentality, which has put a stranglehold on us for years, will continue to survive. But if we change the model, if we allow coastal States to share in the royalties produced from production off their own shores, give them the decision and give them some of the benefits, then we will change the dynamics and, in my opinion, over the next 10 years open significant new areas to offshore oil and gas production and significantly increase our energy independence.

That is why S. 3711 is so important. It does something real and meaningful and concrete right away. We are acting, not just talking. Even more importantly, we are building a model for the future, a positive model that will promote our energy independence by allowing us to go after those resources, including offshore, where the vast majority of our energy assets are in the future.

Mr. President, I yield the floor.

Mr. BROWNBAC. Mr. President, if I could inquire of my colleague from Washington—and I have my colleague from Alabama who seeks recognition—maybe we can get some order set up here. I have a 15-minute presentation. I believe my colleague from Alabama is seeking recognition, if I could inquire.

Mr. SESSIONS. Mr. President, 5 minutes would allow me to complete remarks I began earlier this morning when the majority leader and the Democratic leader appeared.

Mr. BROWNBAC. I would inquire of my colleague from Washington a timeframe she would want, in an effort to establish some order.

Mrs. MURRAY. Mr. President, I want 15 minutes as in morning business. We could go back and forth. I think we could accommodate that quite easily if the Senator from Kansas wants to speak. I ask unanimous consent that following the Senator from Kansas, if I could have 15 minutes in morning business, and then go back to the other side.

Mr. BROWNBAC. If my colleague from Washington would be willing to allow 5 minutes for my colleague from Alabama to finish up his comments? Is that asking too much? I don't want to press it too far.

The PRESIDING OFFICER. Will the Senator modify her unanimous consent request to be that following your remarks, the Senator from Alabama would be recognized?

Mrs. MURRAY. Following my remarks, if the Senator from Alabama wants to go, I would be happy to agree to that.

Mr. SESSIONS. Mr. President, I think what the Senator from Kansas was asking is if I could sort of utilize his time for 5 minutes to complete my remarks and then go to the Senator from Washington.

Mrs. MURRAY. Mr. President, I revise my request and ask that following

the remarks of the Senator from Kansas for 15 minutes, the Senator from Alabama for 5 minutes, and then I would be recognized for 15 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BROWNBAC. I thank my colleague from Washington in particular for allowing us to do this. It is very much appreciated.

Mrs. HUTCHISON. Mr. President, I ask the Senator from Kansas to yield for a unanimous consent request that I be placed in line after the Senator from Kansas and the Senator from Washington to speak on this bill?

The PRESIDING OFFICER. Does the Senator yield?

Mrs. HUTCHISON. If the Senator yields, can I then make that proposal?

Mr. BROWNBAC. I am happy to yield to the Senator from Texas.

Mrs. HUTCHISON. I ask unanimous consent I be recognized after the Senator from Kansas and the Senator from Washington.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Kansas.

Mr. BROWNBAC. I believe I am to be recognized for 15 minutes. If the Presiding Officer will notify me when 2 minutes remain?

The PRESIDING OFFICER. The Chair will do so.

Mr. BROWNBAC. Mr. President, I rise to speak on the pending business before the Senate, the Gulf of Mexico Energy Act, S. 3711. I wholeheartedly support this bill. We face a dire situation in this country regarding our energy dependence.

I believe this debate is about two numbers and those numbers are 3 and 75—\$3-a-gallon gasoline and \$75-a-barrel oil. That is what this debate is about, 3 and 75.

We are reminded about this every day. There are probably places in this country paying well over \$3 a gallon for gasoline. The price of oil hit \$75 this past Friday. There is a good possibility it will even go up from there. We need more domestic drilling to take place. We must reduce our foreign dependency, our dependency on foreign oil. In the future and in the near term as well we have to reduce our dependency on oil.

Things are striking. In the United States we burn 10,000 gallons of oil per second. The United States uses four times more oil than any other nation. Relative to economic output, the United States consumes 7.5 gallons of oil for every thousand dollars of GDP. Oil imports cost us—this is a 2003 number, so they are higher now—oil imports cost us \$10 billion a month, as a nation. Those are 2003 numbers.

Energy economists estimate that since World War II, oil price spikes have cost the economy 15 percent growth and \$1.2 trillion in direct losses. There is a \$7.4 billion increase in the U.S. oil bill per year for each \$1 increase in the price of oil. Imagine what

that adds up to when you push \$75-a-barrel oil. A \$1 increase in the price of oil costs U.S. companies and consumers about \$828 million in trucking costs each year.

In addition to these facts, we get a large amount of our oil from regions that are unstable at best and unfriendly at worst; 65.3 percent of the world's proven oil reserves are in the Middle East. The Middle East OPEC States already supply the United States with 2.5 million barrels per day, 25 percent of our daily imports.

Further, every day, 26 million barrels of oil flow through two points. One of those points is the Straits of Hormuz in the Persian Gulf. We know the instability that can happen there. A few targeted strikes against one of these two states or against oil facilities in Saudi Arabia, which holds a quarter of the world's oil reserves and essentially all spare capacity—if you can consider any of the capacity spare today—it could take several million barrels of oil off the global market every day for months and send oil prices soaring.

These facts, coupled with the increases in demand that are taking place in countries such as China and India, do not bode well for our national and economic security.

There will be very difficult if not potentially disastrous consequences to our economy if we do not reduce our dependence on foreign oil and, in the future, oil period. If we remain so dependent on foreign oil, we court disaster.

Currently, we have these two mega numbers, 3 and 75; \$3-a-gallon gasoline and \$75-a-barrel oil.

This bill, the Gulf of Mexico Energy Act, will help lessen the dire situation we are currently in. It opens up 8.3 million acres of the Gulf of Mexico for oil and natural gas exploration. It is something we need to do, we must do now to be able to help reduce our demand for oil products, for foreign oil.

I want to also talk about the mid-term of what we need to do. This is something we have to do now to mitigate the situation we are currently in. We really need to do it. But on a mid-term basis, we have to reduce our dependence on oil, period. That is why a bipartisan group of 28 Senators has put forward the Vehicle and Fuel Choices for America Security Act, S. 2025. I urge my colleagues to look at cosponsoring this legislation. I think it is the most bipartisan and comprehensive energy legislation pending in front of the Senate today.

We filed it as an amendment on this bill, but as I understand the procedural situation we are in, it is unlikely this is going to come up now. It is still important that we look at this legislation and others to reduce our long-term dependence on oil. It is appropriate Members of Congress from every region of the country and every political stripe—conservative, liberal, everything in between—have all arrived at this same point. For our national security and

our economic security, we must reduce our dependency on oil.

It is common sense to reduce our oil consumption, and it is doable. This bill uses new ideas and does not visit old debates or fights. We know the edges of this debate where we divide this body. This doesn't go there. It says what areas can we agree upon, and let's press forward there. For too long our foreign policy has been dictated in part by our need for foreign oil. It is in the interest of America's security for us to look at ways of lessening our dependence on foreign oil, and it is also in the interests of our economy. The pocketbook of every American is affected when the price of oil goes up.

We can create market incentives to use the technology available today to deal with the problem that we are facing right now. We don't have to wait for any new inventions. We can start solving the problem today simply by sending the marketplace the correct signals. There is broad public support for reducing our oil consumption.

This, to me, is one of those American-type problems. We have a problem and it needs to be addressed and we can do it with good, old-fashioned American ingenuity. It exists. The great thing about this bill, S. 2025, is that our 10-year goal is for reduction in oil consumption of 2.5 million barrels per day. That is roughly 10 percent of our total oil consumption and the same amount we import daily from the Persian Gulf region.

How do we do it? Ethanol and renewable fuels must play a clear role in this fight. They are homegrown. We need to be more dependent on the Midwest than the Middle East. Therefore, this helps keep the money at home. We ventured down this road before, but we have never fully committed as a nation to renewable fuels. Now is the time to do it.

I am encouraged by the fact that so many people are literally buying into ethanol today, and into biodiesel—soybean-based diesel fuel. Bill Gates has invested over \$100 million of his own money into ethanol. Richard Branson of the Virgin Empire, famous for his success in venture capitalism, is investing in ethanol. These are great signs for the future of renewable fuels, as it is an industry that needs capital investment.

As a government and as a people, we need to fully commit to make renewable fuels a viable alternative to petroleum-based fuel. As long as oil remains above \$70 a barrel, the economics of renewable fuels makes good sense. It makes sense for us to continue to push its development, and it makes clear sense regarding our foreign policy and security needs.

Biodiesel is another renewable fuel option and is a farm success story. After Operation Desert Storm in the early 1990s, soybean farmers were struggling to maintain profitability. I was the Secretary of Agriculture in my State of Kansas at that time. Because

of high energy prices and low commodity prices, the farmers were struggling. The soybean farmers started investments in the development of biodiesel. It was a priority for farmers eager to contribute to our energy supply and develop a new market for soybeans. Farmers invested more than \$50 million of their check-off dollars. These are dollars they tax themselves to be able to promote their industry. They did this to be able to conduct research and development in biodiesel.

As a result, the biodiesel industry has shown slow but steady success since the early 1990s. However, in the past 2 years it has grown exponentially. In 2004 there were approximately 25 million gallons of biodiesel sales. That increased to 90 million gallons in 2005, and currently it is on track to exceed 150 million gallons this year.

Likewise, we went from 22 biodiesel plants in 2004 to more than 60 biodiesel plants currently, and there are over 40 more plants currently under construction.

Congress has, and continues to put in place, policies that enhance our Nation's energy security. Renewable fuels are playing a significant role in helping to achieve this objective while providing economic benefits to farmers and rural communities.

Another key element to freeing ourselves from our foreign oil dependency is to introduce electricity as a transportation fuel option. Recently, I and many of my colleagues in the House and Senate test drove plug-in hybrid vehicles on Capitol Hill. These cars drive exclusively on electricity for the first 30 miles of every trip. After 30 miles, these cars switch to a normal combustion engine. Over 50 percent of all Americans drive less than 30 miles each day. That means we could have over half of our drivers in America driving exclusively on electricity, not using any oil at all.

The good news is that our electricity generation is produced here in America, whether it is coal, natural gas, nuclear, or renewable sources such as water power and wind. We would be fueling a majority of our transportation sector with American sources of energy as opposed to foreign oil. Plugging in your car during offpeak hours when power is in a surplus and cheaper would soon just become part of the modern daily routine like plugging in your cell phone before you go to bed. Offpeak electricity can be the equivalent of 50-cent-a-gallon gasoline.

The car I sat in, and other Members drove, went 100 miles a gallon by using the plug-in technology, the hybrid technology in the car, and fuel in a combustion engine—100 miles to the gallon, a car available today.

This was a modified Prius. I don't want to tell everybody that this is broadly available. But the people who have modified it to include plug-in technology were using this hybrid vehicle.

Not only will we be sending out money to countries that dislike us, but we will be buying American-made power instead.

Another great bit of news is that we already have the infrastructure in place to produce electricity as a transportation tool. All you will need is an extension cord and a wall outlet. We can't drill enough domestic oil to break our addiction to foreign oil.

However, this bill takes an innovative market-based approach to solve these problems. We can provide tax credits for the production and purchase of advanced technology cars. We expand the renewable fuels infrastructure through a variety of means. We also expand research and development in critical areas such as light-weight materials and cellulosic ethanol. This ethanol, instead of being made out of grain, is made of plant fibers or out of woodchips. We amend the Federal fleet requirements to reduce oil consumption by allowing electric drive technology to qualify under the EPA act.

We require 30 percent of the Federal fleet requirements to be met by advanced diesel, hybrids, or electric plug-in hybrids by 2006.

We also provide tax credits for companies that have fleets of 100 or more vehicles to purchase more fuel-efficient vehicles.

We are all solidly behind the ideas in this bill. It has 28 cosponsors, and we look forward to moving these ideas forward because it is critical for our national and economic security and our economy and our future that we do so, plus it is just good old American ingenuity that we would do something like this and lead the world in moving toward an important electric renewable source fleet of vehicles for our consumers.

Clearly, if we are to continue to live freely in this country, we must figure out a solution to our rising dependency on foreign oil.

That is part of my support for S. 3711. Near term, we have to do more production. Longer term, we have to reduce our dependency and our addiction to oil, period. Here is a bill and a way we can do it. As we observe what is taking place in the Middle East—even today we can see volatility in that region. As we observe what is taking place in our marketplace, I believe you can see a yearning for vehicles that get higher mileage and we can use with plug-in technology.

I think we have to pass S. 3711, and then in the future let's move this car fleet to be based more on renewables and to be based on plug-in technology using electricity.

I look forward to working with my colleagues to be able to accomplish that. I urge us in the near term to do what we have to do—pass this bill which is before us today.

I yield the floor.

Mr. DOMENICI. Mr. President, will the Senator yield?

Mr. BROWNBACK. I would be happy to yield during the remainder of my time.

The PRESIDING OFFICER. The Senator from Kansas has 50 seconds.

Mr. DOMENICI. Mr. President, I ask unanimous consent to have 1 minute to ask a question.

The PRESIDING OFFICER. The Senator has 40 seconds.

Mr. DOMENICI. Mr. President, I chair the Energy and Natural Resources Committee.

First, I thank the Senator for supporting this measure. It is vitally important that we tell the American people that the price of natural gas rose dramatically today again. There is a big demand.

I think it is exciting to see some Senator like yourself, who has a vision for other things besides this, saying let's do this because we can do it now.

That is a point I want to make as chairman. Let's do this because it will break the mold, break the precedent of moratoria of no deepwater mining, deepwater drilling, and get on with great production. But I want to say to the Senator that I am aware of his bill. I am aware of some of the great ideas in it. I heard him mention it. We had a hearing on parts of it, as he probably knows.

I think it is fair to tell him that the truth is, with this short session, in this Senator's opinion—I really worked hard to get energy legislation passed and was able to pass a comprehensive bill that did some terrific things. He knows that—ethanol, even in the area of cars he is speaking of. We made some giant strides with that Energy bill—I don't believe we could start with the Energy bill this late in the session with the Senator's bill or somebody else's bill without doing nothing and just getting bogged down. I thought: Let's take what we can do and do it. But I don't want the Senator to think the great ideas that he has have been forgotten.

Mr. BROWNBACK. I thank the chairman.

The PRESIDING OFFICER. The Senator from Washington is recognized.

GREENLANE MARITIME CARGO SECURITY ACT

Mrs. MURRAY. Mr. President, we have waited day after day in the Senate on political issues when we should be taking the Senate's time to make America more secure.

Last week, the majority leader mentioned port security in a long list of issues to be debated before the August recess.

While Senator FRIST continues to pay lip service to this important priority, I remain concerned that with only a week left before the August recess we have no firm schedule or commitment to bring this bill to the floor.

I am worried that while the majority says it wants to act, it refuses to put any action behind that rhetoric.

And here's the bottom line—if God forbid there is an incident at one of our ports—the fingers will point to this Chamber.

And people will want to know: Why did the Senate sit on a bill that passed

the full House and passed the Senate Homeland Security Committee? Why didn't we make these ports secure when we had the chance?

The only thing keeping the GreenLane bill from protecting us is the Senate's failure to take it up. We have to bring up and pass this bill before it's too late.

I am here today because nearly 5 years after 9/11 our country is still vulnerable to a terrorist attack.

Just this week, an article in the Seattle Times showed us that our ports are not secure.

A reporter was able to enter two West Coast ports simply by hiding in trucks that were entering those ports.

The reported walked around cargo containers in areas that are supposed to be secure.

In this case, the security gaps appeared to be on the "land side," but as the article notes—an incident at any port—whether from the land or sea side—could shut down all of our ports. Time is not on our side.

Each year, 6 million cargo containers enter U.S. seaports. And that number is expected to quadruple in the next 20 years. These cargo containers carry the building blocks of our economy.

But without adequate security, they can also provide an opportunity for terrorists to deliver a deadly one-two punch to our country.

The first punch would create an untold number of American casualties.

The second punch would bring our economy to a halt.

Today, we are not doing enough to keep America safe. Standing in this Chamber, it can feel like the dangers at our ports are a distant concern. But given that our ports are connected to our Nation's transportation system and are often close to major population centers, the threat is never far away.

A recent example makes this threat crystal clear. On March 21, a container ship called the Hyundai Fortune was traveling off the coast of Yemen when an explosion occurred in the rear of the ship.

About 90 containers were blown off the side of the ship, creating a debris field 5 miles long. Thankfully there were no fatalities, and the crew was rescued. Fortunately, this incident does not appear to be terrorist-related.

Now I want to imagine this same burning ship sitting just a few feet from our shores—in New York harbor or Puget Sound, off the coast of Los Angeles or Charleston, Miami, Portland, Hampton Roads, the Delaware Bay, or the Gulf of Mexico.

Now imagine that we are not just dealing with a conventional explosion. We are dealing with a dirty bomb that has exploded on America's shores.

Let me walk through what would happen next. First, there would be an immediate loss of life. Many of our ports are located near major cities. If a nuclear device exploded at a major port, up to 1 million people could be killed.

If this was a chemical weapon exploding in Seattle, the chemical plume could contaminate the rail system, Interstate 5, and SeaTac Airport, not to mention the entire downtown business and residential district.

At the port, there would be tremendous confusion. People would try to contain the fire, but it's unclear who—if anyone—would be in charge.

Then—when word spreads that it's a dirty bomb—panic would likely set in. There would be chaos as first responders try to react, and residents try to flee.

Next, our government would shut down every port in America to make sure there weren't other bombs on other containers in other cities.

That shutdown would be the equivalent of driving our economy into a brick wall. It could even spark a global recession. Day by day, we would feel the painful economic impact of the attack. American factories would not be able to get the supplies they need. They would shut their doors and lay off workers. Stores around the country would not be able to get the products they need to stock their shelves. Prices for these goods would spike, as demand began to outweigh the supply. And consumers would not be able to afford the items they rely on every day.

In 2002, we saw what the closure of a few ports on the west coast would do. It cost our economy about \$1 billion a day. Imagine if we shut down all our ports.

One study concluded that if U.S. ports were shut down for just 9 days, it would cost our economy \$58 billion.

Next, we'd realize we have no plan for resuming trade after an attack—no protocol for what would be searched, what would be allowed in, and even who would be in charge. There would be a mad scramble to create a new system in a crisis atmosphere.

Eventually, we would begin the slow process of manually inspecting all the cargo that's waiting to enter the U.S. One report found it could take as long as 4 months to get them all inspected and moving again.

Finally, we'd have to set up a new regime for port security. And you can bet that any new, rushed plan would not balance strong security with efficient trade. Unfortunately, the scenario I just outlined is not the stuff of fantasy. Rather, it is a realistic portrayal of events that could happen tomorrow.

Nearly 5 years after September 11, we still have not closed a major loophole that threatens our lives and our economy. Time is not on our side. We must act, and we must act now.

I approach this as someone who understands the importance of both improving security and maintaining the flow of commerce. My home State of Washington is the most trade-dependent State in the Nation. We know what's at stake if there were an incident at one of our ports.

That is why I wrote and funded Operation Safe Commerce to help us find

where we're vulnerable and to evaluate the best security practices.

It is why I have worked to boost funding for the Coast Guard and have fought to keep the Port Security Grant program from being eliminated year after year.

Right after 9/11, I started talking with security and trade experts to find out what we need to be doing to both improve security and keep commerce flowing.

Last year, I sought out Senator COLLINS as a partner in this effort. I approached Senator COLLINS because I knew she cared about the issue, I knew she had done a lot of work on it already, and I knew she was someone who could get things done.

Since that day, we have worked hand-in-hand to develop a bill and move it forward. I am also grateful to Senators LIEBERMAN and COLEMAN for their tremendous work.

We know we are vulnerable. Terrorists have many opportunities to introduce deadly cargo into a container. It could be tampered with anytime from when it leaves a foreign factory overseas to when it arrives at a consolidation warehouse and moves to a foreign port. It could be tampered with while it's en route to the U.S.

And there are several dangers. I outlined what would happen if terrorists exploded a container, but they could just as easily use cargo containers to transport weapons or personnel into the United States to launch an attack anywhere on American soil.

In fact, in April, 22 Chinese stowaways were found at the Port of Seattle. They had reached the United States inside a cargo container. In that case, they were just stowaways. Imagine if they had been terrorists sneaking into our country.

The programs we have in place today are totally inadequate. Last year, thanks to the insistence of Senators COLLINS and COLEMAN, the Government Accountability Office found that C-TPAT, the program in place, was not checking to see if companies were doing what they promised in their security plans. Even when U.S. Customs inspectors do find something suspicious in a foreign port, they cannot force a container to be inspected.

We have a very clear and very deadly threat. We know today that current programs are inadequate. What are we going to do about it? We could manually inspect every container coming into this country, but that would cripple our economy.

The real challenge is to make trade more secure without slowing it to a crawl. That is why Senators COLLINS, COLEMAN, LIEBERMAN, and I have been working with all the stakeholders and the experts to strike the right balance. The result was the GreenLane Maritime Cargo Security Act. It provides a comprehensive blueprint for how we can improve security while keeping our trade efficient.

At its heart, this challenge is about keeping the good things about trade—

speed and efficiency—without being vulnerable to the bad things about trade—the potential for terrorists to use our engines of commerce.

Mr. DOMENICI. Would the Senator yield for a minute without her statement being interrupted?

Mrs. MURRAY. I am happy to do that if I can have additional time to answer the Senator's question.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. I ask that following the remarks of the Senator, Senator HUTCHINSON of Texas be recognized for 5 minutes.

The PRESIDING OFFICER. That is already part of the order.

Mr. DOMENICI. And that I, the Senator from New Mexico, follow her for up to 20 minutes.

The PRESIDING OFFICER. Under the previous unanimous consent request, the Senator has already been recognized, but no specific time amount was set for the Senator from Texas. Following the Senator from Texas, the Senator from New Mexico will be recognized for 20 minutes.

Mr. DOMENICI. I thank the Chair.

Mrs. MURRAY. Mr. President, the GreenLane Maritime Security Cargo Act does five things.

First of all, it creates tough new standards for all of our cargo. Today, we don't have any standards for cargo security.

Second, it creates the GreenLane, which provides an even higher level of security. Companies have the option to follow those higher standards of the GreenLane, and their cargo—those companies which agree to that—will be tracked and monitored from the moment it leaves a factory floor overseas until it reaches the United States. We will know where that cargo has been, we will know every person who has touched it, and we will know if it has been tampered with. The GreenLane will simply push the borders out by conducting inspections overseas before cargo is ever loaded onto a ship bound for the United States. And we will provide incentives for companies to use those higher standards of the GreenLane.

Third, our bill sets up a much needed plan to resume trade quickly and safely to minimize the impact on our economy.

Fourth, our bill will secure our ports at home by funding port security grants at \$400 million. That funding will help our ports and our port operators to develop and implement security plans. They can use this funding to strengthen their perimeter of security, which would have helped prevent a number of security lapses that were highlighted this week in the Seattle Times article.

Finally, our bill will hold DHS accountable for improving cargo security. The Department of Homeland Security is long overdue in establishing cargo security standards and transportation worker credentials. We need to

hold them accountable. The bill we have written provides the infrastructure to ensure accountability and coordination.

I take a minute to thank Senator COLLINS for her tremendous leadership on this critically important issue. I thank Senator COLEMAN for his leadership and work as chairman of the Permanent Subcommittee on Investigations. Senator COLEMAN has helped expose our vulnerabilities, and he has worked with us to develop solutions. I also thank Senator LIEBERMAN for his leadership on this issue. I commend all the other cosponsors of our bill: Senators FEINSTEIN, SNOWE, DEWINE, SALAZAR, SANTORUM, GRAHAM, CANTWELL, DURBIN, and BYRD.

We are seeing tremendous progress on the House side with the Safe Port Act. I thank Representatives DAN LUNGREN and JANE HARMAN for their bipartisan leadership.

Finally, I thank the numerous Federal, State, and local officials as well as all the industry representatives for their tremendous assistance in crafting this legislation. Those people truly are the front lines of securing our Nation's ports. I have been very proud to work with all of them.

Right now, today, we have a choice about how we deal with cargo security and the challenges facing us. If we wait for a disaster, our choices are going to be very stark. We should make those changes now on our terms before there is a deadly incident.

Let's protect America before an image like this hits our television screens. Let's not wait until a terrorist incident strikes again to protect our people and our economy.

Earlier this year, the American people woke up and spoke out when they heard that a foreign government-owned company could be running our ports. That sparked a critical debate. Now we need to set up a security regime that will actually make us safer. Until we do, none of us should be sleeping well at night. A terrible image like this, a burning container ship with a dirty bomb in one of America's harbors, could be on our TV screens tomorrow.

This Congress needs to act today. We have heard the majority leader say we need to address port security, but words will not protect us from terrorists, words are not going to help us find a bomb that is hidden in a cargo container, and words won't help us tell which containers could be holding a group of terrorists who are trying to sneak into our country. We need more than words. The Senate needs to take up and pass the GreenLane Maritime Cargo Security Act. We only have a few days left before we can do this. We need to act. I urge the leadership, before the August break, to finally bring up and pass the GreenLane Maritime Cargo Security Act before it is too late.

I yield the floor.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator from Texas.

Mrs. HUTCHINSON. Mr. President, I rise today to speak in support of the

Gulf of Mexico Energy Security Act of 2006. I was very encouraged by the strong vote to proceed to debate on this bill. I hope we can do this for the people of America to begin to see the energy prices in this country start coming down.

I am a cosponsor of this bill. It is a compromise and reflects much hard work from all of the gulf coast producing States, including Florida. I especially want to mention Senators LANDRIEU and VITTER from Louisiana, who have pushed for a long time for this kind of proposal.

The people of America are not interested in political rhetoric. They want Congress to take action on the rising energy costs in this country. This is a potential near-term solution for a long-term problem.

For too long, we have neglected our own resources in this country, including those in the Gulf of Mexico. This bill will bring access to more than 8.3 million acres in the Gulf of Mexico for oil and natural gas, with the production in leases 181 and 181 south. It will provide access to over 1.26 billion barrels of oil in these areas.

To put this in perspective, the average annual fuel consumption for cars and light trucks, according to the Federal Highway Administration, is 14.5 barrels of gasoline; that is, 607 gallons. This 1.26 billion barrels of oil is enough energy to fuel approximately 87 million vehicles for a year.

We cannot afford to stand by and allow our import costs of oil to continue to increase. Since 2001, those prices have gone up 150 percent. Additionally, the bill will provide access to 5.8 trillion cubic feet of natural gas.

To put that figure in perspective, it is six times the amount of LNG we import every year, three times the amount of gas currently in storage, and enough natural gas to serve 107 million households.

America's yearly natural gas bill has risen from \$50 billion to \$200 billion over the last 6 years. This increase impacts farmers, ranchers, business owners and households. We must continue to discover and support alternative energy proposals. Congress has done that. Congress passed a bill last year, signed by the President, that focused on other sources of energy besides oil and gas. We gave credits for solar power, biofuel, ethanol, wind energy, all of which are renewable sources of energy that are safe and environmentally clean. That has made a difference. Even wind energy has now become almost 10 percent of the electricity used in my home State of Texas. We know if we put together a number of different kinds of renewable sources of energy such as corn and soybeans, it can be an alternative that takes a tremendous burden off oil and gas, which has been the largest supplier.

I am also encouraged that some of our largest integrated oil companies are moving toward those kinds of alternative fuels. I opened a biodiesel plant

in Galveston, TX, a couple of weeks ago. That is a step in the right direction. It was being opened by Chevron. We are doing some good things.

The global demand for oil and natural gas is rising at a rapid rate. That is what is causing the prices to go up. We have to look to our own resources. One of those major resources is the Gulf of Mexico. I also hope we eventually will look at other resources, such as Alaska, which contains comparable resources to that of the Gulf of Mexico.

We can do something ourselves with the resources of our own country if we combine the research and new emerging sources of energy as well as the old standard oil and natural gas sources we also have. If we don't act, we are jeopardizing our economic and national security.

This bill also helps the States that are allowing drilling to mitigate the costs this production brings to their States. In my State of Texas, we have 367 miles of coastline which has sustained impacts from production. Texas has helped finance and support much of the gulf coast production. The entire Nation has benefitted from lower fuel costs due to these investments. This production, however, has had an impact on my State and the coastal areas of my State. This bill will begin to help mitigate those impacts. It provides the gulf producing States, beginning in 2007, with 37.5 percent of revenues. Fifty percent will go to the U.S. Treasury, and the rest, 12.5 percent, will be shared among all the States of our country. Every State is going to benefit from passing this legislation.

Today, a barrel of oil is selling above \$74.

Every American is feeling the impact. This is a piece of legislation that can have a very positive impact very quickly. I urge my colleagues to support this legislation. Let's send it to the President. Those leases will soon be ready for bid. It is our responsibility to do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Thank you, Mr. President. Thank you, fellow Senators.

First, Mr. President, and fellow Americans, for those who have watched the Senate over the last couple days, it must have been a pretty enjoyable time because Senator after Senator came to the floor—maybe 12 or 15 versus 2 or 3 opposed—12 or 15, all positive and for something, for a change, sending a signal here in the waning days of this session before we go home for a recess when it is hot out there and the price of natural gas is going up. The people know it, and they are hearing rumors that pretty soon we are going to be importing natural gas from all over the world, where we used to be a totally self-reliant country on natural gas.

We have made a mistake. In the last 17 years, every new powerplant we built—because we were frightened to

death of nuclear power—we built for natural gas. We took this fantastic ingredient, this beautiful product of nature—natural gas—and we poured it into the powerplants. And we are still doing some. I did not think we were, but we are still building a couple. Rather interesting. I do not want to even insinuate by saying where, but we are building some.

In the meantime, millions of American homes have done what everybody thought was right, and that was to hook on to natural gas. Then across this land we built a manufacturing base, huge in size, made up of, for example, the chemical industry. I assume the occupant of the Chair knows about industries like that. Many Senators do, and they probably have been contacted by their industries—the fertilizer industry, the plastics industry, involving thousands of workers. What raw product do they use for manufacturing so they can employ and sell products? Natural gas.

So what happened? We used it up. All of a sudden, we had a big problem in the gulf and the price went through the roof. And we had some rigging and a few other things occurring that we found out about with that Houston company. But, in any event, what happened is the price of natural gas skyrocketed and the supply produced by Americans for Americans became insufficient to meet our needs, and we began to say: We are going to have to go buy natural gas around the world.

What a frightening thing. We just got through this huge problem of gradual dependence upon foreign crude oil to where we are more than 60 percent dependent, and there is nothing we can do about it. We cannot produce sufficient crude oil to change that equation, the crude oil needed to run America's transportation needs.

And when we complain, remember the old idea of Pogo: "We have met the enemy and he is us." The transportation needs are 70 percent of the oil used. And that is your cars, ladies and gentlemen, your SUVs, the trucks and buses. That is 70 percent of the oil.

Now here we grow dependent for that. And here in America we grow more and more dependent upon natural gas. And here sits—while all of this is happening—along the seaboard of America a giant sea of natural gas and crude oil which has been taken off the market by what have been commonly called moratoria or moratoriums, saying: Do not touch that because it is off the sea coast of California; do not touch that because it is off the coast of New Jersey. In this case, we have a small piece of Federal real estate. I am not going to put the maps up again today, but it is 8.3 million acres. Sounds like a lot, but, believe me, when you look at the coast, it is small.

We are looking in this bill at 8.3 million acres, which we cannot put out to bid for American companies, large and small, to go drill for what is known to be there. What is known to be there?

Oil: 1.2 billion barrels. What else? Natural gas, that thing I just talked about that builds an industry, that builds a manufacturing base, that keeps the price down. Right? It makes supply more rational.

There sits 6 trillion cubic feet of natural gas in that property. Well, that does not sound like anything except it is enough energy to take care of 6 million houses for 15 years. That is pretty good if you look at that as an average American.

So what we decided was: Yes, we surely, last year, passed a great energy bill—which I will talk about in a moment—but we couldn't get this one done, so let's get this one done this year for the American people. I regret to say we were moving forward with, again, locked arms with my colleague from New Mexico, Senator BINGAMAN, to get this done when we had to break. We had to break paths because I decided to stand for the past would get us the fruits of the past, which would be nothing, so that if we did not share some of the revenue with the surrounding States, we would still get no oil and gas, we would still be in moratoria, and we would get no revenue for the Treasury and no revenue for the States. But, most importantly, that beautiful product, natural gas, and the crude oil that is there with it would still be there and nobody could touch it.

So with that in mind, we worked and we worked and we worked, with the help of the great Senator, MEL MARTINEZ, from Florida, who was courageous, and we protected his State sufficiently, I think admirably, for him to say yes. Today I understand his co-Senator said yes. Thank you, Senator. Thank you very much, Senator NELSON. He came here and said yes. Four coastal States said yes. They had been saying no more, and now we have an opportunity.

We do not need to wait around and say: Let's add 20 other items for the American people. You cannot add 20 more items. They still have to go to the House. They do not have 20 items waiting around. So whatever great ideas are pending, we cannot pass them, first, because if you keep adding them, it means you will not pass this bill, and, secondly, they do not go anywhere.

So let's do this one for the American people. And if this happens, it says, put that land out to the American drilling companies now, and a big portion of it will be available within a year—within a year.

Now, I will respond to Senator BINGAMAN's points in opposition.

I do believe that every point he made in opposition is refutable, and I will refute them later. But I want to say the simple fact is we had to go our own ways for one simple proposition. Both of us understood we needed to go ahead and deepwater drill this land, although with the passage of negotiations beyond the time that he and I—Senator

BINGAMAN and I—had reached accord, we added substantial property to this arrangement. But the point of it is, we broke on the proposition of: Shall we bring a bill to the floor with no revenuesharing with the States—which I concluded will never pass; we will not get it done, and we will be right back where we were—or do we do what we have done here and say the abutting surrounding States get a portion?

Now, let's get this straight: The Federal Government still gets the majority. They get 50 percent straight up of the royalty. And 12.5 percent is for the Statewide Land and Water Conservation Fund. And then 37.5 percent over time—which is not much in the beginning, but over time is substantial—is shared with the States that about so they can say: We are sharing in the burdens while we are joining in sharing in the wealth.

We believe the precedent will flow, once this is done, and we will begin to look to other States, such as the State of Virginia, perhaps the Carolinas, perhaps Georgia, et cetera, and say: What about similar arrangements later? But right now let's give the people a gift of what is theirs now by passing this measure.

Now, there is one very positive thing that is happening that is big on the scene for the American people that is hard to appreciate because it takes time. That is the impact of the Energy Policy Act that is a year old this August. The energy policy bill is beginning to take hold. I regret to say the higher the price of crude oil, the more breakthroughs will occur on the part of innovators and technologists and companies that are making breakthroughs in terms of new kind of cars, new kinds of technology, because the price of crude oil is saying to them it is worth the investment and the risk in something new.

So the high price is bringing on new things. But the act we passed is bringing on huge results. We are in a renaissance period on nuclear power. I wish I could come here and show you the dedication of the next plant, but that takes a while. But 25 applications have taken place since that act, 25 applications for nuclear powerplants. So the Senators who come down here and say: Why do this bill; why don't we do more things; we did more things in this huge bill we passed. We created a nuclear renaissance in the United States.

Second, we have a revolution in biomass which is going to change rural areas into a more vibrant and diverse economic rural America because we are going to use farm products to fill our gasoline tanks with ethanol instead of crude oil. That is all in the Energy bill. The targets are set. The huge mandate is set. And we are rolling with 29 new plants having been built.

One of our Senators implied we should not be so narrow and take just this bill. Just this bill? Just this bill is pretty much—the one we are talking about, right? It is big. It was said: We

should not do this. We should do many other things. We did the other things. I am trying to tell you, we did many of them, and we probably should start with a second round next year. But if we start trying to get more instead of this, we will get nothing for the American people, nothing for natural gas supply, nothing for our consumers to rely upon in terms of bringing the price of natural gas down. And that is what I want to do and want to get done.

So the Energy Policy Act did what I have described, and many more things, some of which I will describe later. But I am very proud that in the period of 12 months we will have passed an energy bill that has done all these significant things. They are moving along.

Right now we are wondering about the reliability of electricity on the grid. I can tell you that in the Energy Act the studies are just about completed. Within a month to 2 months they will be ready. And they will tell us how to fix the grid so it will be totally reliable, and the exchanges between the various portions of the electricity distribution system will all be made reliable so you will not have the kind of blackouts we talk about.

That is because of the Energy Act. But you cannot do it immediately. It is in the mill. That is happening, too. So when you look at it, Congress has done some important work in the energy field. Hybrid cars are coming on in large quantities because of the credit, plus the high price of crude oil.

We can continue, but in a nutshell this bill is good for the people who are burdened with the high cost of natural gas, the high cost of oil. It is their property. We ought to develop it and do it now. So it has been my privilege, having served here for quite some time, to be the leader in this particular area. Of that I am very pleased, proud, and grateful.

I remind everyone, while natural gas was taking a little bit of a back seat to the rising costs of energy, it has now joined a parade of increases. Today, my staff informs me that the price of natural gas reached a 5-week high, just in time for us to remind you that you better put this piece of property on the development table so that it can be rendered a productive piece which will, in fact, cause that price to continue to stop rising and to abate over time.

Mr. President, I have said on a number of occasions that passing this bill is the most important thing that we can do in the short term to move toward correcting the supply and demand imbalance of natural gas. I would like to take the time to refute some of the specific criticisms made against this bill by a handful of people.

First, I would tell you that if we do not develop our resources domestically, this revenue sharing question will be moot—because we will not have revenues to share. The capital will be spent overseas for foreign exploration and development and we will continue the cycle of sending our American dollars

abroad for our energy sources for use here at home. The Gulf of Mexico Energy Security Act begins to address this problem.

Now, it is argued by a few that this bill is not worth doing because the Minerals Management Service is proposing to open parts of the 181 area in its recently published 5-year plan. Critics argue that since the administration has announced intentions or plans to open parts of 181 equal to 2 million acres—containing approximately 620 billion barrels of oil and 3 trillion cubic feet of natural gas—it is not worth passing this bill which opens over 8 million acres with 1.26 billion barrels of oil and almost 6 trillion cubic feet of natural gas. Even if I were to entertain that logic as being sound, let me tell you the pitfalls of assuming that the administration lease sale will go through as planned.

It starts with the very point that the critics make. In November 1996, the MMS announced and approved a 5-year plan that included an intention to offer 6 million acres known as the original lease sale 181 area for oil and gas leasing. The decision to include this area was the culmination of extensive consultation between the Federal Government and the State of Florida. However, in 2001 when the Department of the Interior went to lease this 6 million-acre area, the administration reduced the lease sale to 1.5 million acres. So recent past tells us that if we hang our hats on the draft plan as critics seek today, we will be disappointed. Critics say—trust the very process that disappointed us a few years earlier in the very same area. I say—in this bill—direct the Secretary to lease the area. I say—make it clear, make it direct and we will get all the resources, and there will be no doubt.

I ask this to those who would rely on a draft plan as a certainty. Since the time you were in school, have you ever written a draft that was the exact same as the final product? A draft is just that—a draft. It represents what could be opened, not necessarily what will be opened. History shows us the peril of assuming that a draft plan will be followed out to completion.

Furthermore, we should not assume that coastal states will sit by and go along with leasing without the compensation needed to fix the energy infrastructure and coastal environment that is so critical to our domestic energy survival. Last week, the State of Louisiana filed suit in Federal district court to block the upcoming lease sale 200 off of Louisiana. They did so because they claim that our flawed policies were inconsistent with their State coastal plans. This should be a warning to all of us. Today marks the beginning of the end of the days of turning our backs on our coastal States while we turn our energy dollars over to hostile regimes.

The critics of this bill will also say that we took too much property off the table in the Eastern Gulf of Mexico to

get the resources in 181 and 181 south. They point to the areas east of the military mission line off the Florida coast and say that we have given up access to 21 trillion cubic feet of natural gas off of Florida's coast. But this argument is illusory.

We do not have access to these areas currently. With or without this bill these areas are under executive moratorium—that has been set forth by two Presidents, one Republican and one Democrat—through 2012, and these areas have been under this executive withdrawal since 1990. Furthermore, for each of the past 16 years, Congress has placed an additional moratorium on these areas without a whisper of challenge. To say that this bill locks up these areas is not forthright.

These areas are locked up until 2012 and ultimately, under the authority granted to the President over 50 years ago in the Outer Continental Shelf Lands Act, the President can continue this moratorium at any time. The current executive moratorium expires in 2012 in the Eastern Gulf of Mexico. This bill extends this time on certain areas to 2022. Does anyone assume that the moratorium will be removed anytime soon? Does anyone see a viable path toward lifting this moratorium in the Eastern Gulf of Mexico off Florida in the near term? The answer, for the time being, is unequivocally—no.

Furthermore, Secretary Rumsfeld is on record as saying that, while the Department of Defense is fully supportive of the national goal of exploration and production of oil and gas offshore, the Department of Defense believes that any such activities east of the military mission line would conflict with essential military activities. Critics say that it is my bill that locks up these areas when in fact, these areas are deemed essential to our Nation's military needs. Until the President, Secretary of Defense, and both Houses of Congress render a different decision about this area, it is specious to suggest that this bill is locking up these areas to production.

Unquestionably, this bill opens up 8.3 million new acres to development of nearly 6 trillion cubic feet of natural gas and 1.26 billion barrels of oil. The proof of the substantive merits of this bill lie in its broad support around the Nation from America's agricultural community, manufacturing community, producers of chemicals and plastics, the textile industry, the utility sector, and small businesses. Literally, thousands of consumer groups representing millions of Americans and millions of American jobs say the same thing—that S. 3711 provides the much needed relief for the American people. I know that I only addressed a few of the criticisms of this bill, but I dismissed them, because they are not real. If I had all day to myself, I would continue to dismiss the criticisms one by one. I will leave that to my many distinguished colleagues who support this measure.

But I will say this—the criticisms are not based in fact, but rather cling to a flawed philosophy of the past. Over the next couple of days, people will trot out quotes, cases, statutes, and general precedent from years gone by. Mind you, all of this data and precedent will come from a time when we did not import 13.5 million barrels of petroleum per day from unstable regions of the world. All of this data and precedent will come from a time when we did not consume 22.2 trillion cubic feet of natural gas and pay more than 3 times the price for it that nations competing for our jobs pay. All of this data will come pre-Katrina and Rita, when our Nation's energy coast that hosts nearly 50 percent our refining infrastructure was ravaged by natural disaster. I ask the critics to rethink their policy of the past, to reexamine this precedent in light of the facts as they exist today, not as they would wish for them to exist.

This compromise agreement is the best thing that we can do now in the short term, to relieve the cost burden on the American consumer. America is watching.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. Mr. President, I come to the Chamber today proud to be part of a Republican majority that is working to build a future of hope by securing our homeland, securing our prosperity, and securing our values.

This week, we are debating a bill that will lower the cost of living for all Americans by cutting the cost of gasoline, natural gas, and heating oil. By opening additional oil and natural gas reserves in the Gulf of Mexico, this legislation will secure our homeland by reducing our dependence on foreign oil and securing our prosperity by providing real relief to millions of Americans who are struggling to keep up with their rising cost of living.

Unfortunately, while there are some Democrats who are working with us on this bill, most are threatening to obstruct this important legislation even though it would help lower energy costs for American families and increase our energy independence. We cannot allow a few extreme environmental lobbying groups to continue to hold our country hostage.

American businesses, both large and small, are feeling the pinch. Recent estimates show that since the year 2000, 3.1 million high-wage manufacturing jobs have been eliminated or moved overseas, where energy supplies are plentiful and costs are lower.

American families are also struggling to make ends meet. In a recent survey, nearly 80 percent thought the rising cost of energy was hurting our economy and threatening jobs; 90 percent of those polled said high energy costs were impacting their family budget. Despite having been through the warmest winter on record, heating bills for homes that are heated with

natural gas and oil went up nearly 25 percent. Last year, the percentage of credit card bills 30 days or more past due reached the highest level since the American Banking Association began recording this information in 1973. The ABA's chief economist cited high gasoline prices as a major factor.

We recently had good news that Republican tax cuts continue to produce strong economic growth and have helped to create 5.4 million new jobs since 2003. But even as the economy grows and wages rise, family checkbooks still feel the pressure. If you get a \$25-a-week raise but you have to spend \$50 a week more than you did before for gas, food, or medical care, you are still \$25 worse off than you were before. It is no wonder that Americans' optimism about their economic future has faded as concern over their cost of living has increased.

There is no quick fix to this dilemma, but there are many things that will work together to secure our economic prosperity. We can address rising health care prices by making health insurance more affordable for small businesses and individuals and by returning control to patients by ensuring that every American has a health plan they can afford, own, and keep.

Unfortunately, so far this year the Democrats have succeeded in obstructing these key things which would lower the cost of health care.

We can also invest in the flexibility and choice necessary to train the best workforce in the world, so that we can attract the best jobs in the world.

Our goal as Republicans is maximum wage, not minimum wage. Unfortunately, again, the Democrats are obstructing ways that we can create more alternatives and choices to improve the quality of our workforce and the amount of pay people earn.

We can also work to increase our natural gas and oil supplies and to reduce the cost of gas, increase America's supply of energy, while we encourage conservation and reduce our dependence on foreign oil.

The good news is that Republicans are working—one step at a time—to secure our prosperity. We understand the American people need real solutions, not more Democrat obstruction.

Some say there has been no coherent Democratic energy strategy since early in the Clinton administration. Well, I disagree. They have a strategy; it is just the wrong one. As you can see from the chart behind me, the Democratic energy "policy" is built on two key principles: raise taxes and block real solutions.

The Democrats, back in 1993, attempted to raise the taxes on gasoline by 7.5 cents a gallon. They were unsuccessful there. But with the Democratic majority and President Clinton in the White House, they were able to add 4.3 cents a gallon to gasoline later in 1993.

The Democrats have blocked energy solutions by refusing to write a national energy policy of their own during the whole 8 years of President Clinton's administration. They have tried to block President Bush's comprehensive national energy policy, and they succeeded for 4 years. As we heard from our chairman, last year, we were able to pass a comprehensive energy bill despite Democratic obstruction. The Democrats have continuously opposed our developing oil supplies in Alaska.

Let's look at one chart to show what happened over the last couple of decades. This makes the point about what this does to energy prices. Our graph shows the increase in gas prices since 1991. At every point along the way is when we voted to expand our oil supplies from Alaska, and at every point along the way the Democrats have blocked this and obstructed it and attempted to blame Republicans when gas prices continued to go up.

Let's go back to the other chart. The Democrats have blocked expanding our refinery capacity, which we know is a key element in increasing the cost of gasoline. We look at boutique fuels, which are the regulation that has required refineries to produce different fuel blends for a number of different States. That raises the price. When we tried to change that, they blocked it.

Coming up to today, the Democrats have blocked energy solutions that would lower the cost of gasoline for Americans and then they attempt to come down here on the floor of the Senate to blame President Bush and the Republicans when it doesn't get done. It is clear that active Democratic obstruction has escalated the American energy crisis and increased the cost of gas.

Republicans recognize that our energy problems didn't occur overnight and they won't be fixed overnight. But we understand that if we fail to address rising American energy costs, we will create yet another incentive for businesses to locate overseas and leave American workers behind.

To keep the United States competitive, we must transform our energy policy to meet pressing short-term supply needs, while exploring new alternative solutions to meet the long-term needs for abundant, affordable, emission-free energy.

In the Energy Policy Act of 2005, we did just that, despite Democratic obstruction. Now, our natural gas capacity has expanded by 1.34 billion cubic feet a day, and 25 new nuclear facilities are being planned. If these 25 plants are built, experts estimate that 15 million households will be powered by this zero-emission source of energy, and 120 new, clean, coal-based facilities are in various stages of being planned.

These are a lot of facts and figures to be sure, but the bottom line is that all these numbers translate into real savings both now and in the future for American families.

But we must do more. To address the short-term issue of constantly fluctuating energy prices, we must eliminate Government-imposed regulatory roadblocks in order to increase our energy supply and get these resources to consumers quickly and affordably. We can unshackle American entrepreneurs—the best in the world—and allow them to fully develop our natural resources and still protect our environment.

Our long-term energy policy must focus on creating a diverse energy infrastructure that includes new technologies such as hydrogen, fuel cells, and other alternative forms of energy. Many of these technologies—currently in early stages of development—have shown great promise and can revolutionize the way we fuel our cars, homes, and businesses.

Mr. President, energy costs are on the rise and the ball is in the Democrats' court. For years they have complained about high energy prices and then blocked the very solutions that would lower them.

Republicans have real solutions on the table, such as the deep sea exploration in the gulf that we are debating today. We know it would diversify our energy infrastructure, and it would increase our supply of affordable, abundant, and environmentally friendly energy. Most importantly, it would reduce the cost of living for Americans and stretch their paychecks all the way to the end of the month.

I ask my Democratic colleagues to reject their leaders' tired strategy of blocking real solutions and then blaming Republicans for the problems that remain. Working together, we can bring down the cost of living for all Americans by reducing the cost of gas, increasing America's supply of energy, encouraging conservation, and reducing our dependence on foreign oil.

With that, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. VITTER). Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I rise today to join the discussion about the Gulf of Mexico Energy Security Act, and I want to say at the outset that I support legislation to open up lease sale 181 as reported out of the Senate Energy Committee, and I support new environmentally responsible energy exploration in the gulf.

Obviously, this legislation before us differs from what we passed out of the Energy Committee, and we are still looking at the various impacts of this particular legislation. Some of my colleagues have come to the floor to talk about the larger energy debate, and I wanted to make sure I came down and expressed my concerns and comments about what we need to do to move forward on not just having a piece of energy legislation come to the floor that only has one particular provision in response to our energy needs, but what we can do for a broader energy strategy.

Many of my colleagues may have also turned on the television and seen that oil companies continue to report astronomical profit, and the public has a right to ask why. I hope that next week, when we take up the legislation dealing with the reauthorization of the Commodities Futures Trading Act, we might be able to discuss the issue of price gouging and what we can do to protect the public from those kinds of activities. I know many people in America are shocked to see, again, quarter profits from companies like Exxon jump 36 percent, and that is over last year's \$10 billion record profit. So a lot of people in America want to know what we are going to do not only in the short term, but also in the long term on this energy issue.

I know that while we are only discussing this particular proposed piece of legislation on one issue, this Senator thinks it is very important to bring up a broader global context to the challenges that the United States faces in this energy crisis and why it is imperative, with everything going on in the Middle East, that we continue to be very aggressive about a U.S. energy policy that will get us off of our focus on oil and get us on to being a leader in the world economy not just in the United States on energy technology but around the globe.

Earlier this month, I spoke to the Washington Council on International Trade. That is in Seattle. It happened to coincide with the 33rd anniversary that Senator Magnuson had taken a trip to China to visit with the Foreign Minister. Maggie led that congressional delegation after President Nixon opened up the door to China, and he had a 2-hour meeting with the Foreign Minister there. It is interesting because there are notes from that meeting in which Senator Magnuson said he was going to talk about everything from the Pacific Northwest to energy issues, but he happened to scribble a little phrase on a piece of paper that is still recorded in history, which says that China can no longer be an island in the world. I certainly believe that China can no longer be an island in the world. Three decades ago, this policy was correct, but it is even more important today as it relates to our global energy needs and the United States and China working together.

It is no surprise that China's influence has come to the forefront of the global economy debate and that everybody realizes that we are tied together in so many ways. President Hu was recently in Seattle, and we discussed a variety of issues between the Pacific Northwest and, obviously, we have a great economic relationship in selling airplanes, coffee, software, and a variety of agricultural products to China. We continued those discussions.

What we see today is that the global energy issues are prevalent in our trading relationship with China, and they are also important to our national security issues and, obviously, to our environmental issues. That is why I believe it is time for us to take up and establish a formalized, high-level dialog between the United States and China on energy policy. There are various accidents of geology in this world, and I think I have said many times on the Senate floor that the United States only has 3 percent of the world's oil reserves. So when it comes to that situation, basically, China and the United States have landed in the same boat; that is, neither one of us can drill our way to energy security within our borders. But both of our economies have grown increasingly susceptible to these global energy spikes, and we need to act aggressively together to address these issues from a global security perspective.

As a result, I think it is in our mutual interest not to view ourselves as competitors for scarce energy resources but as global partners in the race to move beyond the petroleum dependency. Establishing a sustained cooperative relationship with China on energy policy will open up new markets for new American technologies and companies that we can help create and foster with our energy policy here.

Recently, Thomas Friedman wrote that you can, with these new markets, "turn Red China into green China," providing America with economic opportunity and a long-term environmental benefit.

But here are some of the facts: Today, China accounts for 40 percent of the increase in oil demand. The number of passenger vehicles on the Chinese roads have more than tripled since 2001 and may equal the United States by 2030. So China faces a massive transportation infrastructure modernization. We know there are still 30 million Chinese who didn't, in 2004, have electricity. So trying to keep pace with the growing demand, China is essentially adding a huge 1,000-megawatt coal-fired plant to its grid each week. That is like adding the capacity every year to serve the entire country of Spain.

These new coal plants have created problems such as widespread pollution. Sixteen of the world's 20 most air-polluted cities are in China.

Even with the influx of plants and patchworks to the grid, there are various areas of the country that still have uncertain access to power. In 2004, China had a power shortage in 24 of its 31 provinces. They are struggling with the mammoth task of trying to keep pace with their energy needs. Since 2001, their consumption has grown at a rate 1½ times the growth of its overall economy. So we see that China, because it was poorly endowed with natural resources—except for coal—has increasingly become dependent on oil imports.

Now China relies on the Middle East for half of its oil, which is similar to

our circumstances. Beijing has been racing around the world trying to lock in production for oil and gas in Canada and Saudi Arabia, and they are looking at suppliers for a variety of energy needs. Unlike the United States, they are looking in places such as Sudan, Angola, Burma, and Iran. As one of our distinguished international national security experts, Henry Kissinger, has suggested, energy resources may cause international conflict in the coming years.

So what do we need to do about that? I believe we need to get serious about this effort here and that the United States and China share concerns about high oil prices. We have a common interest in working together to mitigate global supply shocks and resulting price spikes.

Both nations need to work harder to increase energy efficiencies and to achieve continued economic growth. There is no reason the United States and China should not work together on the same side in virtually all international energy negotiations.

Currently, this is far from the case. Today, China views the United States as a competitor in these energy markets, and we look at them the same way.

The congressionally chartered U.S.-China Economic and Security Review Commission warned of a "petroleum collision course well before the world's aggregate petroleum supply is exhausted."

I think they are saying that because they realize this collision course could be avoided if we work aggressively.

This Senator believes we must take three concrete steps that will put us on a proactive path for engagement and cooperation.

First, President Bush should work with President Hu to convene a U.S.-China energy summit.

Second, we should put at the top of our agenda an effort to establish a U.S.-China working group with Cabinet-level leadership from the administration. Establishing such a group was one of the major recommendations of the U.S.-China Economic and Security Review Commission in a report to Congress in 2005.

Specifically, this proposal reinvigorated a 1995 U.S.-China energy efficiency and renewable protocol which I think we should get back to.

At the time, over 30 U.S. firms were involved in activities and programs which were designed to strengthen the bilateral cooperation and advance the role of the private sector by the United States in China's energy development.

A permanent working group would also be necessary to oversee any kind of joint R&D effort and could serve as an arbiter and negotiator for technology transfer issues.

And, third, I believe, in addition to the bilateral engagement, we should work to bring China into a membership of the International Energy Agency.

I know the Presiding Officer has thought a great deal about energy

issues, energy cooperation, and protocols. The International Energy Agency is an intergovernmental organization with 26 different member organizations which prepares and seeks information about how to mitigate global supply and shocks.

In recent years, this organization has served as a clearinghouse for information on global energy prices and technologies. With China's membership in this organization, I believe we would see a lot more cooperation and information that could help us mitigate some of these spikes.

Some people have looked at China's energy policy and called it "mercantilistic" as they go around and buy up these resources at the wellheads in various regions of the marketplace. Encouraging them instead to be involved in the IEA would move Beijing to be a more constructive player in the global energy marketplace.

Clearly, these initiatives—a Presidential summit, establishing a direct U.S.-China working group, and promoting China's engagement in the International Energy Agency—are just a few steps down a very long road to a complicated energy security issue.

But it is clear that the economies of the United States and China are now intertwined, and our energy security should be considered with a common purpose.

This issue will color our relationship with China for decades to come, but if we are direct and proactive in our engagement, there is also opportunity, and an opportunity for the United States in meeting China's energy needs is key to their domestic stability and economic growth. Improved cooperation between our nations could have significant economic benefits for both countries.

Let me talk about that innovation for a second.

The reason I am raising this issue within the context of today's debate is because we are missing an opportunity today. Rather than simply focusing on drilling, we should be debating what is going to give America and American companies the lead in 21st century energy technology.

Because there is an opportunity on the horizon in China and other growing economies, there is a huge opportunity to export American technologies and products, but we need to seize the technology lead to do so.

Earlier, I spoke about the challenges China faces with its incredible growth in demand. Modernizing China's domestic energy infrastructure will require a \$35 billion investment. That is every year for the foreseeable year—\$35 billion in investment every year for the foreseeable future.

So we must work to open up these Chinese markets to grid management software, smart metering technology, new transmission technology, biomass and biofuels, and related innovations. These things are emerging technologies in the United States, which we

could further accelerate not just for our domestic benefit, but also as a supplier for that growing, demanding Chinese market.

Given the evolving nature of China's energy industry from its complete state-controlled entities into more hybrid models, we can help crack open these markets, I believe, overnight, and gaining entry, once again, requires us to be very proactive and engaged, with a sustained commitment. I believe whoever develops these technologies that break through to these economies will hold the key to the 21st century. I want the United States to be the technology leader there, and I want us to continue to look for these huge market opportunities to do so.

Essentially, China today has a 20-percent more fuel-efficient target than we do. The 2005 renewable energy law mandates that 15 percent of China's energy comes from renewables by 2020, and the plant also sets a 20-percent savings standard for new appliances and other technologies.

Consistent bilateral involvement with U.S. counterparts through a U.S.-China energy working group could help foster the changes that we would like to see with U.S. technology companies and could help us grow those businesses and opportunities.

Figuring out how to navigate these barriers, as I said, I believe requires greater cooperation and greater administration involvement in making sure there is a U.S.-China relationship.

The International Energy Agency estimates that China will spend \$2.3 trillion over the next 25 years to meet its growing energy demands, and that just modernizing its electricity grid would require \$37 billion annually, a figure that I referred to a few moments ago.

So these are great opportunities for U.S. markets. They are great opportunities to show that we can work together to be effective. For example, already some organizations on the west coast are working together with private foundations and public-private partnerships. For example, last year the State of California signed a pact with a sister province in China to provide technical assistance to work together on demand-side technologies. The agreement came in large part due to the work of the U.S.-China Efficiency Alliance, a nonprofit group that counts as its founding members and leaders various State officials, academics, environmentalists, and, obviously, some of the large utilities.

The reason China is a huge market for these kinds of opportunities and that this is taking place, obviously, from the west coast perspective is because the west coast has already had an aggressive trade relationship with China and also has been aggressive about these clean energy technologies. So this is happening to a certain degree already on the west coast, but it is a great economic opportunity for our entire Nation if we continue to accelerate it.

The question I have in mind today is, why are we ignoring this larger debate and opportunity? Why are we not debating a larger energy bill for the 21st century in which we continue to promote the energy innovation that can lead to a cleaner environment, better energy security, and certainly greater national security?

Fourteen years before he went to China, Senator Magnuson told the Seattle PI newspaper that failing to trade with China was basically "pretending 700 million people in the world don't exist."

Thirty-three years later, it is about time that the United States really understand that phrase. It is time that we understand the internal transformation and opportunity to work together on energy policy to solve some of our common problems and realize some of our great economic opportunities.

I hope next week we will continue to discuss various energy policies. I hope we will continue to open up this legislation to further amendments so that we can get to other issues that will really help the United States succeed in addressing our energy challenges.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALEXANDER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I have come to the floor again today to speak about the bill Senator DOMENICI and many of us have brought before the Chamber. The Presiding Officer has been a great leader in this effort to fashion a bill that has many fine points and good points and needed points for the country.

One, it would provide us with a new source of oil and gas that will help us increase supply in hopes of reducing and stabilizing the price of oil and gas in this country. The other fine and wonderful point of the bill is that it takes a portion of the revenues that are now going into the Federal Treasury—but future revenues—and dedicates them to a conservation royalty, because Mother Nature every now and then needs its share, too. Being from Tennessee, Mr. President, and a leader in the environmental area, you most certainly can appreciate the value of that.

Of course, the great point for Louisiana, the gulf coast—not that those two points aren't very exciting to us as well—is the chance to have a new source of revenue to actually reverse decades of loss of precious and valuable wetlands. These wetlands not only protect the 10 to 15 million people who live along the gulf coast from Texas to Alabama, but also that will restore the

wetlands, which we in Louisiana call America's wetlands because it is the mouth of the greatest river system in North America. So many of these wetlands help the industries of trade, commerce, oil, gas, fisheries, and the general environment for the whole Nation.

But today I wish to speak a little bit more about the history of how we got where we are today and then talk about the value to the Nation of taking such a positive step forward, a big step, a positive step and a step absolutely in the right direction. Yesterday, Senator DOMENICI, the chairman of the committee, and I spent some time clarifying the record regarding President Truman. The fact is, this was not MARY LANDRIEU's idea, as much as I would like to take credit for it; this was Harry Truman's idea: to establish a partnership with the States when oil and gas was first discovered, knowing it would take a strong partnership to sustain this effort over time, and an interest on the part of the Federal Government, the local government, and the State government to engage in the technology necessary and the financial wherewithal necessary to pursue this frontier, basically, whether it was the frontier of the West or the frontier on the Outer Continental Shelf, to get the natural resources to make this country great.

Now, of course, President Truman, having come from the experience of the Second World War, really understood what he was talking about because although our military and the allied forces were quite spectacular in winning that war, sometimes I think we forget that it was the steel workers and the iron workers and the shipbuilders and the boat builders and the women and the families who sacrificed at home, saving their pennies to send every spare item we could for the machinery necessary to win a war. Yes, it takes bravery. Yes, it takes men and women in uniform. But it also takes a lot of steel, a lot of supplies, a lot of petroleum, and a lot of natural resources to win a war. America won that war in large measure because we had the natural resources and the military might combined to provide the strength to the allied forces to win the great war.

It was America's oil production—America's oil production—that Winston Churchill said made him transfer the British fleet from coal-powered to oil. Here is a nation literally under siege, and a great leader makes a strategic decision. He would rather depend on American oil than maybe his supplies of coal in Europe to give him the staying power to sustain that war. In the Second World War, German tanks stalled for lack of fuel, and Japan had to cut the operations of her fleet. It was America's natural resources that propelled our allies to victory.

I think perhaps sometimes in this world in which we live, where everything seems so automatic and you just turn on a switch and the lights come on, you plug in your computer and it

gets booted up, you turn your coffee on in the morning and it automatically smells beautiful in your house, it takes a lot of effort to produce the energy which is necessary to make our lives the most comfortable the world has ever known and perhaps will ever know. But in the Second World War, they understood they needed lots of things to win that war, and one of them was the natural resources of oil and gas. We didn't know too much about the environmental aspects of it back then but, frankly, all we cared about was getting our troops home, beating the Germans, winning the war, and saving the world for democracy, which we did.

Then, through the 1950s and 1960s, we got smarter, just as you should if you are growing all the time and you learn, and we understood better about the environment. Then something went wrong in the 1960s. Something happened in the 1960s. We forgot where we came from. We forgot the sacrifices that had been made. We had a very dramatic spill off the coast of California—not a pretty picture. The country was on fairly good financial footing, and we just sort of started backing up. In my mind, we have been backing up ever since.

We need to get in a forward gear with a proper mindset to move this country back in the direction of natural resource production, with all the benefits of the new technology, with all the benefits of knowing the mistakes we made—no turning our back on them—not pretending the spills didn't happen, and not pretending oil and gas isn't a dangerous business at times.

I can remember seeing on television one night—I think it might have been on the Discovery Channel, which is a wonderful channel my family enjoys watching—they were talking about how we first designed hot water heaters. Of course, we take hot water coming in our house, clean water in America and hot water, for granted. It happens so frequently, we don't think about it. But when I was watching this on television, the story was saying we didn't always have hot water in our houses and it was quite a feat to try to get hot water heaters.

In the beginning, when people had them—and I am sorry I can't remember the year—they kept blowing up, and they would just blow people's houses up and people got hurt and people died. But nobody said: Oh my gosh, we just can't have hot water. We pursued and developed the technology, and now we take for granted the most amazing thing which is in almost every house in America: you can turn on the faucet—not in New Orleans, where you can't get any water pressure today, but in most places you turn on the faucet and get clean hot or cold water, to the temperature of your choice. But it didn't happen because there weren't accidents or problems, but we learned and we perfected the technology. You can say a thousand times how that happened in

America, but for some reason we got stuck on this natural resource issue and can't get off of it.

We have an opportunity this week to move past the 1960s and 1970s and to be responsible at a time when our country needs more gas and oil. Now, we are going to move beyond petroleum. We are going to develop new technologies. If Senator DOMENICI has his way, he would have the 15 new programs we authorized in the last Energy bill funded to actually invest in new technologies.

We are good in this Chamber about talking about things, but actually we don't put the money to them. So we sort of pretend we are doing things. But even saying that, we are making progress. I would support more investments in alternative energies and real money for real projects to move in that direction. But until we do and as we are doing that, we need to drill for oil and gas where we can.

I want to show you here in America what the pipeline systems look like today. This is the pipeline system: an extraordinary network of private sector—with government support—pipelines that bring gas from Canada, that bring gas in from the northwest part of Canada, bring a multitude of riches from the gulf, the gas connections that move up through your State, Mr. President, all the way up to the Northeast. And then you can see another in north Texas, in Dallas, Oklahoma gasfields, because, of course, Oklahoma and Texas understand gas. They have a lot of it. It is shallow in large measure, but they are producing a great amount of gas for the Nation. This is what it looks like now.

This is the area which we along the gulf coast understand is rich in natural resources, and we have almost perfected the technology to reduce the footprint, to drill far down into the floor of the ocean, deep into the coastal areas here that are abundant in resources and provide the gas necessary to keep people cool in the summer, warm in the winter, and to keep the manufacturing sector of this country competitive because we have competitors now, big competitors—China and India—and if we don't want to lose every manufacturing job in America, and we are on track in some measure to do that, we better find some gas and oil somewhere here.

But in the 1960s, as I said, we got stuck in a place that has been dangerous for this country and went from being a net exporter to win the greatest war ever fought. But in the 1960s, the situation flip-flopped and the United States became a net importer of oil, a situation which has deteriorated to the point where today we import 60 percent of our oil. It would be bad enough if we were importing that oil from friends because when you deal with friends, maybe they would give you a good price and maybe, even if it was tough for them to produce it, they would still give it to you because they are your friends. But we are importing

oil from places in the world that are not friendly, that are dangerous. When the price goes up, they are happy if it goes up higher because they know we are dependent on it. I don't know if Americans feel as strongly as I do, but I know people in Louisiana do. We are happy to have a mutual dependence, I guess. We don't think we live on an island, but we don't like to feel dependent. We like to feel strong. We like to have choices. When you owe people a lot of money or you get your oil and gas from people and can't get it yourself, it puts you in a dependent position—not a good place to be most of the time. That is the place we are in right now in America. So one of the reasons this bill is so important is that it reverses 30 years of drift, 30 years of not clear thinking about what dependency really means, and we have to make the change.

I would like to see this bill be a little broader in its scope, but it has been a compromise, and that is the nature of our political system. This is not a dictatorship, it is a democracy. We on the gulf coast have worked out a system that seems to work pretty well, protecting Louisiana and Mississippi and Alabama, and respecting our friends in Florida who have chosen a different path for this time, and that is just the situation we are in right now.

I think as we open this 8 million new acres here and we can see more of the benefits for the whole Nation, that perhaps, as some of us continue to speak and travel the country and speak about the benefits of being less dependent on foreign oil and gas and more independent, more self-sufficient, and developing alternatives and conserving where we can as well, maybe the situation will change. But this is the step which needs to be taken.

Some people say: Oh my goodness, there is just not enough oil and gas here. I want to tell you how much there is. It contains enough natural gas to heat and cool 6 million homes for 15 years. It holds six times the amount of liquefied natural gas imports we are importing today. It represents more oil than we import from Saudi Arabia, and it will produce more oil than found in the reserves of Wyoming and Oklahoma combined. So I know when you look at the whole country and you see just this little 8,337,000 acres, people say: Oh my goodness, that is not very much. But it is more than the reserves of Wyoming and Oklahoma combined. This is a very rich area, and Americans deserve to benefit from the natural resources that belong to them.

Believe me, people around the country, some people think: Well, they must not care about their environment.

I do not have a statistic about this, but I bet people in Louisiana and Mississippi and Alabama and parts of Texas spend more time in the water than anywhere else because we are hot most of the time and we like to swim. We swim in our bayous and we swim in

our lakes and we swim in our gulf water, and we swim all year because it is warm all the time. Our temperatures are good throughout the year.

I do not have statistics on it, but I bet you we fish more per capita. We have more fish than we know what to do with. I laughed when I told my children—I took them out fishing in the West—not to be critical of the West. It is beautiful, of course. But we fished in a stream, and the rule was, after you caught three fish, you had to throw them back. My son, who is 10 years old, said: Mother, I have never been to a place where you have to throw the fish back, because where we fish, we have limits, but they are pretty good limits. You can catch 30 redfish, lots of trout, and you keep them and then you eat them that night. This would be a sad world if you had to throw back every fish you caught. It is a matter of managing your resources. We do that very well.

People look at me, and they think: MARY, you are not saying the truth. But I am. The best fishing is around the rigs. The best fishing is around the rigs. And when you are on these rigs—these big platforms—you can look down, and you can see the fish. I do not need to read this in a statistic. You can see the fish around the rigging. Why? Because it acts as an artificial reef, and it creates a food supply, and the fish naturally gather there. So we have been doing this a long time in Louisiana. We would not suggest it.

We do have beaches. We do not have the same kind of beaches as Florida, but we have a proud and beautiful wetlands. We are concerned about our environment, and we know that while there every now and then are mistakes, the technology is getting better and better and better, and we can get American gas so we do not have to talk to Iran, if we do not want to, we do not have to send our troops to Iraq unless there is good reason, and we can keep our business right here in America.

I want my colleagues to know how appreciative I am, and Senator VITTER, for the help and support for this bill and what it will mean to the gulf coast and for Louisiana to save our wetlands. But I also want to say that for the Nation, as a Senator, I know this is the right thing. And it is long overdue. We have to open up resources in this Nation and use the technology.

Now, I do not know when we got off this track. I do not know when it happened. I do not know if it was gradual. But we have to be confident in our ability to move forward and to not be afraid but to be bold and press this technology so we can have the independence and energy we know we must have.

I look forward to the day when I do not think my children will have to be dependent on either China for financing or the Mideast for oil and gas, that they can be like my parents' generation: pretty darn independent. We better get back to that independency in

this country. We can make friends when we want to, but we do not have to when we do not need to or do not want to.

In addition, I say to the Presiding Officer, because you have been so good about this issue, I want to say something about a program. There is a program—we have tried to make it a trust fund. We did not succeed. But in 1965 some very bold, progressive-thinking individuals created the Land and Water Conservation Fund because they knew the American population was going to grow exponentially.

We now have almost 300 million people in this country, and many people around the world who want to come and live here, as you know. So we created the Land and Water Conservation Fund, a little program relative to the billions of dollars we spend up here—only \$450 million for the State side and \$450 million for the Federal side—to try to provide some—in the scheme of things, it is pennies—to provide for parks and recreation and the expansion of bike trails and walking trails and to preserve the great outdoors.

I say to the Presiding Officer, you have been a great leader on the outdoors. When you think about the beauty of the Smoky Mountains and you think about the beauty of the Rocky Mountains in the West, you think: Please, God, don't let us ruin that. Let us keep it.

Well, the way you keep it is not by wishing for it but by paying for it. And the way you pay for it is to put it in your budget. We tried that, but it did not work. So in 1965 we spent \$10 million in the whole country. In 1982, we spent nothing because it got zeroed out. Then, in the 1980s, it went back up. You can see basically the high point was in the late 1970s, at \$350 million. One time, 1 year, we sent \$350 million out to all the States, which is not very much money per State, to help them with parks and recreation. Even though this was not much, I will tell you what this money did. It built thousands of parks and thousands of ball-parks for our kids to play in and helped shore up the urban parks in New York and New Orleans and Memphis. It saved the redwoods. It helped to establish the great wilderness in the Smoky Mountains. You could go on and on with what this little money has done because it got sent to the States. They stretched those dollars, and they made it work.

In this bill, we have a plan to fund this gradually until it will go up to, hopefully, \$450 million out of new revenues. So it does not contribute to the deficit. It does not take one penny against any other program. But it helps us to build the parks and recreational areas so my children and grandchildren can continue to swim in those bayous, can continue to enjoy Lake Pontchartrain, and whether they are in an urban area in a little pocket park or in the great Smoky Mountains where they could walk for days with-

out seeing a person and only a few bears—wherever they are, they can enjoy it.

So that is a great thing this bill does. I hope it survives the conference and the negotiations because sometimes Mother Nature does not have the advocates she needs here in Washington. This bill we have presented is not only good energy policy—because we need more production—it is good environmental policy, and it is good economic policy.

One final argument I would make for the bill is this: I know anytime you bring a bill to the floor, everybody has an important amendment. I have several other amendments. People could not believe it, but I want to have several other amendments on this bill. I know my colleagues have some great ideas. And they say: Well, why can't we debate all sorts of other things? Why do we have to debate the focus of this bill?

I have an answer for that. Because we debated, for the last 6 years, an energy bill. We debated for 6 years—day after day, month after month, for 6 years—up until a few months ago an energy bill. We had CAFE amendments. We had alternative fuels. We had reliability amendments. We had nuclear power. We had amendments about how to distribute the waste from nuclear power. Should we use electricity? We debated and debated everything about it.

So I do not want people to be left with the impression that those of us who are on the Energy Committee provided no opportunity for people to debate. We literally took 6 years to pass—10 years—10 years, excuse me, to pass the last Energy bill. So 10 years we debated. We do not have 10 years. We have until August. We have until September. We have to limit the debate. I know it is unusual, but we have to take, in my view and in Senator DOMENICI's view, a positive step forward. We have time again to debate CAFE. We debated it for the last 10 years, and we will debate it again.

But right now let's take this time to remember our history, to remember the great strength natural resources are for the country, to not think of this as helping the gulf coast, which most certainly needs help, but that it is the right thing for America at the right time for America, and in a way that honors the spirit of this body, which is open to debate. We do many debates, and will continue, but for this bill, let's pass it. Let's send a signal to the American people that we are changing course.

Today's debate is focused on 8.3 million acres of submerged land in the Gulf of Mexico, but it is really about something much broader and much more important. It is about our country's future.

It is hard to believe today, given the complete turnaround in circumstances, but the energy reserves of this country were once the security blanket for Western democracies.

When Winston Churchill, as First Lord of the Admiralty, transferred the British fleet from coal power to oil, he did so knowing that it was American oil production that he would rely upon in a crisis.

In the Second World War, as German tanks stalled for lack of fuel, and Japan had to cut the operations of her fleet, it was American natural resources that propelled the allies to victory.

U.S. energy production was a strategic asset that allowed our economy to hum in the 1950s and become the envy of our competitors during the cold war.

Yet sadly, we allowed this great strategic advantage to slip away.

Economics played its part. At the same time as U.S. energy resources became more scarce, readily accessible oil from the Middle East started to come online.

By the 1960s the situation had flipped. The United States became a net oil importer—a situation that has deteriorated to the point where the United States must import 60 percent of the oil, making us the largest consumer of energy in the world.

The truly frightening thing is that this country is bracing to allow the same circumstance in natural gas. With seemingly no one guiding our strategic energy direction, this Nation is now preparing to double the amount of natural gas imported into this Nation by 2014. The country is faced with 45 planned or proposed liquified natural gas terminals. While it is obvious we need them, we must also acknowledge that we are building the infrastructure of dependence.

So one of the reasons this bill is so important, is that it reverses 30 years of drift, 30 years of policy avoidance masquerading as an energy policy. We are sending a signal to the American public and the world that we are serious about regaining the strategic initiative in energy.

We are in a hole that took a long time to dig, so we must understand it is going to take us a while to dig ourselves out.

But we are not going to allow American security to be crippled by this strategic weakness any longer. The idea that we can do this by additional exploration and drilling alone is false on its face. But it is equally false to say that the step we take today will not help.

For the first time in 20 years, America is taking approximately 6 million acres of land that is currently under moratoria out of moratoria. That is a signal that we are getting serious. Furthermore, we are opening up a resource-rich region of the coast. It contains enough natural gas to heat and cool nearly 6 million homes for 15 years. It holds six times the amount of our annual LNG imports. It represents more oil than we imported today from Saudi Arabia. It will produce more oil than found in the reserves of Wyoming and Oklahoma combined.

That is an important step, and it sends an important signal to the world.

A couple of months ago, I hosted a group of French Senators who are involved in energy issues for their nation. When I showed them a map of the coastal resources that we have put off limits in this country, their mouths dropped. They could not believe that we would place so much of our security in foreign hands, while tying the hands of American production behind its back.

We have taken an attitude that somehow drilling and tourism are incompatible no matter the distance involved. Do you know that our colleagues in France are drilling for oil on the outskirts of Paris? Now that is making energy independence a priority.

Richard Holbrooke is well known to Members of this Chamber and has engendered real respect in the foreign policy community. He stated that our failure to reduce our dependence on foreign oil is the greatest failing of this country over the last 25 years. I agree.

We can only wonder what an American foreign policy not hobbled by dependence on foreign oil would look like. I promise you this, everyone in the world would sleep a little safer.

Iran derives 50 percent its revenue, and almost all of its hard currency, from the sale of oil. We know where those revenues go. They go to Katushka rockets, they go to Hezbollah terrorists, they go to a covert nuclear weapons program.

It is fine to say that the United States does not buy oil from Iran. But oil is a global market. It does not matter if it is Americans who buy the oil from Iran or the Chinese. If demand is high, Iran will derive huge revenues.

The truly sick piece of this policy is that the American public pays twice. First, they pay at the gas pump, and then they pay taxes so that our Government can spend billions of dollars trying to undue the evil that Iran propagates around the world. It is like giving money to the neighborhood burglar so that he can buy a gun.

It is time that our country retake the high ground and the strategic initiative on energy. This is only the first step of many. Conservation, alternative energy, nuclear power must also all receive consideration and attention from Congress. But this is a step that we can take today.

It took the Congress a decade to pass an energy bill—we did it with bipartisan leadership last year. Imagine the signal we are sending by passing another important piece of energy legislation within a year of that effort.

Mr. President, I yield the time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. COLEMAN). Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak in morning business for as much time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. DORGAN are printed in today's RECORD under "Morning Business.")

Mr. DORGAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALAZAR. Mr. President, I rise today to discuss S. 3711, the Gulf of Mexico energy bill which is before the Senate.

At the outset of my remarks, I say I come to the Senate today to speak about this particular bill with a heavy heart. It is a heavy heart because the approach which the Senate Committee on Energy and Natural Resources has taken over the last year and a half has been a good template for how we ought to do the business of our country; that is, bringing Republicans and Democrats together to try to work out an agenda in the best interests of America.

In this particular circumstance with this bill, with the opening of the gulf coast of Mexico, we did have a bipartisan bill that emerged from the Senate Committee on Energy and Natural Resources. Unfortunately, from the time it came out of the Senate Energy and Natural Resources Committee until today, it has been changed in some significant ways.

The concerns that have been raised by ranking members are legitimate concerns for several reasons. One is a reason related to the relationships in this Senate and how we get along with each other to try to come up with solutions to face the common problems we face in America today. We were able last year in the Senate Committee on Energy and Natural Resources and the Energy Policy Act of 2005 to put together the kind of broad bipartisan coalition that emerged in a good bill. It was not a perfect bill, but it was a good bill.

I hope the relationships that carried us to a successful conclusion with the Energy Policy Act of 2005 will be more the norm around here than the exception. I am hoping, as we work our way through this particular legislation, that those positive relationships will also be restored.

From my point of view, when we worked on the national Energy Policy Act of 2005, I saw that as an effort, as a Democratic and Republican effort to build a house of energy independence

for America. I saw the house of energy independence being built on cornerstones that are important for us to achieve energy independence.

We knew then and we know today that we could do much better with conservation. The experts at the Department of Energy tell us in the Senate, oftentimes in our Senate Energy and Natural Resources Committee, that we waste 62 percent of the energy we consume in America today. We in America can do better. We can do a lot better with conservation.

The experts also say we are at the dawn of a whole new revolution with respect to biofuels. There are many Members of the Senate who have worked to advance the cause of biofuels over the last several years. That renewable energy future for America has great potential to help build this house of energy independence.

Third, a key cornerstone is the new technology being advanced and explored throughout our country, including the possibility of looking at things such as coal gasification. We know coal for the United States is no different for us than oil is to Saudi Arabia. We have vast resources of coal. The only problem we have with coal is when we burn it, there are environmental problems created. As we have the technological breakthroughs in coal gasification, we can take advantage of one of the greatest natural resources we have in our Nation. So technology is one of the cornerstones, one of the keys that will help get us to energy independence.

Finally, the development of our natural resources is very important. For instance, on the gulf coast or mountain lands of my State of Colorado, it is important that we develop those natural resources in a way which is sensitive to the environmental impacts created from that development.

As we move forward and look at the possibility of the increase in the modest production which will come from the opening of lease 181 and the area to the south, we ought to look at other issues relating to energy and energy independence.

With gas prices over \$3 a gallon and with growing instability in the Middle East and a deepening dependence on foreign oil, today should be the day in the Senate where we are talking about the broad array of ideas relating to energy independence. We ought not to be so narrowly focused on a very small development in the Gulf of Mexico—an important development, but nonetheless, in the grand scheme of getting us to energy independence, it is simply a small step in that direction.

Now is a time for this Nation to embrace new ideas with regard to energy. Now is a time for a real discussion of energy in this Senate. It is time for a new direction for America as we look at the future of energy for this country and for our world.

Gas prices today have jumped 25 percent in just a little over a year. And let's not forget they have doubled in

the last 3 years. Today we are paying twice as much for gas at the pump as we were 3 years ago.

Second, we remember, at the near anniversary of Hurricane Katrina, the great disruptions that were caused across America because of Hurricane Katrina, those disruptions showed the vulnerabilities of our oil and gas infrastructure.

Third, today we are facing a deepening cycle of violence and confrontation in the Middle East, making it a stark reminder to all of us that our overdependence on foreign oil brings grave risks and dangers to America's security.

The American people and a large bipartisan group of Senators in the Senate share a vision for an energy-independent America. That vision is one which is powered by renewable energy. It is a vision which recognizes the new generation of clean coal and energy-efficient technologies. Unfortunately, because we are not allowed to amend this bill, we will not have the chance to have that discussion about these ideas which have been generated by many of the Senators in this institution. We should allow those ideas to come.

I will highlight four ideas I believe we should be considering in the Senate today.

First, we should create a national renewable electricity standard. We passed a renewable portfolio standard less than 2 years ago in Colorado. It is a modest standard. It was not a standard that required 30 or 40 percent; it required 10 percent of the power the utility companies deliver to come from renewable resources by the year 2037. That forward-thinking initiative has already spurred a boom in renewable energy production in our State, creating jobs and revitalizing rural economies. You see them in the wind farms in Logan County. You see it in the solar energy utility farms now being built across my State. We can do the same thing on a national level. In fact, Senator BINGAMAN's renewable portfolio standard that passed in the Senate last year but was rejected in a conference with the House was a step in the right direction. We should have that kind of a standard, or perhaps we could try flexible renewable electricity standards that account for regional differences in our country. There is no doubt that a renewable electricity standard would usher in a new era in renewable energy production across the country. That would, in turn, reduce our dependence on fossil fuels.

Second, we should establish aggressive goals for reducing our dependence on foreign oil. We should employ the full force of our policies in our Nation to achieve them. S. 2025, the Vehicle and Fuel Choices for American Security Act, which has 25 sponsors, Democrats and Republicans alike, establishes achievable goals of saving 2.5 million barrels of oil a day by the year 2015, 7 million barrels a day by 2026, and 10 million barrels a day by the year

2030. We should be having a debate on S. 2025 in the Senate today.

Third, we know we must do a lot more with biofuels. We must also do more to put biofuel-powered vehicles on the road. Right now, the United States consumes about 20 million barrels of oil a day. Two-thirds of the oil we consume is for transportation. We need to substitute that oil with biofuels, biofuels grown right here in America, on our farms and in our fields. To do this, we need to bring more gallons of biofuels to the market. We need to give consumers access to alternative fuels at filling stations.

We need to retool America's vehicle fleet to run more efficiently and on alternative fuels. S. 2025 does this, and we should bring to the floor that legislation so that we can have a discussion about the positive contribution that would make on our road to energy independence.

Finally, we should have a candid discussion of how we can improve the fuel economy of our vehicles. A number of proposals are circulating in this Chamber that would, for example, raise CAFE standards or implement a "feebate" program. Last week, Senator COLEMAN, along with Senator OBAMA, and others, introduced a bill that takes a somewhat different approach to raising fuel standards—one that moves us in an honest direction to have a much more efficient national vehicle fleet for America.

Mr. President, there are many other great energy legislative initiatives circulating in this body. You see them in the Clean EDGE Act, the Vehicle and Fuel Choices for American Security Act, the Enhanced Energy Security Act of 2006, the Alternative Energy Refueling System Act, and other bills that have yet to receive appropriate attention. We should bring them forward to the floor. It is not as if they belong to one party or the other. The Roman philosopher Seneca once wrote: "The best ideas are common property."

We ought to be thinking about energy independence, not as Democratic or Republican ideas. We should be thinking about them as American ideas. The question is, How do we as an institution, as the Senate, move forward in a new direction to get us to energy independence?

It is time that we write an additional chapter in the energy future of America that takes the building blocks of the Energy Policy Act of 2005 and moves forward with the great ideas that have been developed by so many Senators over the last year.

Mr. President, may I ask how much time I have remaining?

THE PRESIDING OFFICER. The Senator has the floor.

Mr. SALAZAR. Mr. President, I see my colleague from New Jersey. Through the Chair, may I ask the Senator how long he will be?

Mr. LAUTENBERG. Mr. President, recognizing that our colleague from the other side is here, traditionally, we

switch sides on recognition. I ask that after our colleague from Wyoming speaks, that I have 20 minutes to make mine.

Mr. WYDEN. Mr. President, I ask unanimous consent that after Senator SALAZAR finishes his remarks, and Senators THOMAS and LAUTENBERG finish, I may speak as in morning business. I will revise that. I ask unanimous consent that after Senator SALAZAR is done and Senator THOMAS is done and Senator LAUTENBERG is done, that I may speak, unless another Republican comes to the floor, and that if another Republican comes to the floor, that I be allowed to speak after that in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SALAZAR. Mr. President, I thank my colleagues. I think that order makes sense as we proceed with the discussion and debate.

I want to make a point about the contributions of my State of Colorado to oil and gas development for our country. We know natural gas prices are spiraling out of control, hurting families and farmers all across this country. Colorado farmers, for whom natural gas is an essential ingredient for their fertilizer, are already suffering under the weight of very high gas and diesel prices. Now they are also having to pay record prices for fertilizer. Needless to say, they are struggling to make ends meet.

Colorado is doing more than its fair share, much like Wyoming, to help our country produce more natural gas. There are currently some 29,000 producing natural gas wells in Colorado, and industry estimates project that between 24,000 and 27,000 new domestic gas wells will be developed every year to meet the growing natural gas demand in our country.

I am proud that Colorado is home to such a wealth of resources and that we can help our country through this energy crisis. But we have also paid a price for these contributions. We know the development must be done in an environmentally responsible way, but the rapid pace of exploration and development is having a huge impact on Colorado's land, water, and communities. The vast open spaces of the Rocky Mountain West are home to pump jacks, pipelines, roads, and compressor stations. Many communities are very concerned. Hunters and anglers are seeing habitat loss and wildlife depletion. Local communities are fighting to protect their watersheds from lease sales that could jeopardize the safety of their drinking water.

While I am proud that Colorado can help satisfy the Nation's energy needs, we should also be pursuing balanced production of our resources in the Gulf of Mexico. As much as possible, the country should share the benefits and burdens of our energy production, including the production and revenues from the Gulf of Mexico.

As I have said before, S. 3711 will make modest additions to our oil and gas supplies with additional leasing in the Gulf of Mexico. It is not, however, a perfect bill.

I deeply respect the concerns that Senator BINGAMAN and several other colleagues have made about the fiscal implications of this bill. The new areas being opened for leasing, they point out, come at a high price. These leases will be on Federal submerged lands on the Outer Continental Shelf, which belong to the taxpayers of all 50 States. Yet 37.5 percent of the revenues from those leases will be paid directly to only four Gulf Coast States—Texas, Alabama, Louisiana, and Mississippi.

I appreciated hearing Senator BINGAMAN's thoughtful presentation on the fiscal repercussions of this revenue distribution, and I applaud his work on the OCS issue, both in this debate and in the consideration of S. 2253, which was a bipartisan bill that emerged from the Energy Committee.

As I said, this bill is not perfect, but it does, for the first time, establish direct funding for the Land and Water Conservation Fund stateside grant program. It is truly historic that we are finally creating an honest to goodness conservation royalty for offshore leases. I appreciate Senator LAMAR ALEXANDER's work on this initiative.

In 1964, Congress passed the Land and Water Conservation Fund Act, which said that if we are going to drill for oil and gas in the OCS, we should be reinvesting a part of those revenues in parks, trails, and open space for the use and enjoyment of the American people.

President Kennedy's vision and Congress' vision was a bold one in the early 1960s. They authorized \$450 million a year for the Land and Water Conservation Fund stateside grants program to be provided to States and local communities as matching grants, to help them build ball fields and trails, to help protect wildlife and open spaces across America.

Unfortunately, what was envisioned as a conservation royalty has been subject to the budgetary whims of Congress. This meant that the program has been consistently underfunded. Year after year, Congress has appropriated far too little money—an average of \$94 million over the program's 42-year history. In the last 2 years, the President has proposed eliminating the program down to zero.

With this bill today, we finally create a permanent funding mechanism—a conservation royalty—that Congress envisioned in 1964. This is a new chapter in the history of the Land and Water Conservation Fund. It is the first step—only the first step—toward securing full and permanent funding for this overwhelmingly successful program.

As it is drafted, this bill does not provide the level of funding for LWCF stateside that the program needs.

I want to point to this chart, Mr. President, which indicates with the red

bar on the left side that the authorization amount for the LWCF program stateside is \$450 million. It averaged about \$94 million. About 98 percent of the counties of America benefited from the grass from the stateside program. The amount of money projected to be supplied in the LWCF through this legislation is only \$15 million a year. When you take that \$15 million a year and divide it among the 50 States, every State would get approximately \$300,000 per year on average. That is not a significant contribution relative to the historic amounts that have been made available to the States through the assistance of the stateside Land and Water Conservation Fund program. So it is important that, as we look at this issue and this legislation, we recognize that we should not be taking away the historic appropriations that have been made to the stateside Land and Water Conservation Fund. I am hopeful that we can ensure that those higher levels of funding for LWCF can, in fact, be made.

Mr. President, the prospect for LWCF stateside funding after 2017 is a little less clear. Because spending after 2017 is outside the budget window, it is not included in CBO's score of the bill. But based on available estimates of revenues and direct spending under the bill, it is likely that, beginning in 2017, stateside LWCF will receive at least \$125 million per year. Indeed, it appears likely that beginning in 2018–12 years from now—stateside LWCF will receive additional funding from “new receipts” from the area 181 and 181 south.

Mr. President, Senator ALEXANDER and I introduced legislation, S. 3562, that would fully fund the stateside LWCF. I have prepared an amendment that echoes that. It would provide at least \$125 million per year of funding for the stateside LWCF program beginning in 2007 and at least \$450 million per year beginning in 2017. My amendment would direct revenues from the renegotiation of leases issued for the production of oil and gas from the OCS that provides royalty relief without the necessary price thresholds.

The Federal Treasury is owed billions of dollars for those leases. Those leases mistakenly have provided royalty relief without these price thresholds. My amendment, with its \$125 million annually between 2007 and 2016 and up to \$450 million per year beginning in 2017, would ensure that stateside LWCF will be adequately funded.

Mr. President, I wish we were having a larger debate on the energy policy for our country. I wish we were bringing some of the new ideas on energy legislation to the floor. I believe the American people deserve a great public debate on our energy future and they deserve a comprehensive forward-thinking energy policy. But for now, we must satisfy ourselves with what is at hand: a bill that includes modest increases in production in the Gulf of Mexico and, I am proud to say, a conservation royalty.

Mr. President, I ask unanimous consent that Senator PRYOR be the next Democrat to speak following Senator WYDEN, with the understanding that we will go back and forth to a Republican Senator in between them if a Republican Senator is here.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Wyoming is recognized.

Mr. THOMAS. Mr. President, we have had a long and important discussion about energy. Indeed, there is nothing more important to this country than to proceed with that. I am proud to say we have an energy policy that is quite broad. Of course, our challenge now is to implement that policy.

I rise today in support of S. 3711, the Gulf of Mexico Energy Security Act. I begin by saying that the economy is doing well; that we require greater supplies of energy is proof of that fact. There is more demand than there has been in the past because our economy is strong. This is not to say that Americans are not struggling with the costs of energy. Of course, they are. We are. The price of gas, the cost of heating and cooling their homes, the need for electricity provides for difficult problems. This is true in Wyoming, where we must drive long distances, and we have cold winter seasons. We know how to solve the problem. We need to increase our supplies.

The bill we are discussing today will provide 1.26 billion barrels, 5.8 trillion cubic feet of American oil and natural gas.

There are, of course, many other things we must pursue. I understand as well as anyone that we cannot drill our way out of the energy problems we face. We must support alternative fuels, renewable energy, clean coal plants, new nuclear capacity, and increased efficiencies.

Many of these efforts will take place over the longer term. Hydrogen cars, FutureGen, and the next generation of nuclear plants will take time. There are plenty of good ideas to look for in the future. It is important, however, that we be realistic about what we can and should do to provide for our needs in the meantime.

Many of my colleagues have their own energy proposals. I have introduced a bill that would reduce the cost of energy for Americans, and it would do so comprehensively by addressing production, refining, infrastructure mileage standards, and other conservation measures.

We need to pass the measure before us today, however. The bill we are debating is a delicately crafted compromise. Chairman DOMENICI is to be applauded for his hard work on the measure.

The bill we are debating today will increase domestic supplies of oil and gas. It will do so in a way that is sensitive to the environment. It will make us more secure and strengthen our economy, and that, of course, is the

goal. It represents an agreement between the States that are most directly impacted by the gulf coast production.

The timing of this debate coincides with the release of second quarter financial statements. We heard this morning from the distinguished minority whip about energy company profits. I feel compelled to respond to the issue.

As I said before, there are many Members who have energy proposals. Some of them are bad ideas. Among the bad ideas is a windfall profits tax, and that is one of the worst. It does not work. I raise this because the idea or the notion of punishing companies is a knee-jerk reaction we deal with every time another fiscal quarter comes to an end. It should go away.

As we talk about the massive profits energy companies reap, we need to remember these are massive companies. It is inaccurate and misleading to look at the dollar amounts. A more accurate measure is to look at how the energy industry is doing relative to other sectors of the economy. Let's take a look at the second quarter of the last year as an example. In terms of cents earned per dollar sales, the average across the U.S. industry was 7.9 cents per dollar. Oil and natural gas earned 7.6 cents on the dollar, a reasonable return on investment. Insurance companies earned 10.7 cents on the dollar. Software companies earned 17 cents on the dollar. Pharmaceutical companies earned 18.6 cents on the dollar.

If we are going to talk about placing punitive taxes on successful businesses that bring so much prosperity to my State, that is fine. Please know that I will ensure the inclusion of Connecticut's insurance firms, California's software industry, and New Jersey's pharmaceutical companies in that discussion as well.

Energy companies are making massive investments. Drilling rigs, pipelines, refineries, exploration, and other business requirements are not cheap. They do profit from having made these investments, but it is not out of proportion to other industries that operate in our global economy. That is the truth.

Unfortunately, this sort of talk is not only part of our discussion that must be further clarified.

When we talk about reducing prices for consumers in the short to midterm, it is clear that increasing supplies is the effective way to do so.

It is troublesome that those who complain most loudly about energy costs are the same ones who stand in the way of responsible and effective measures to do something about it.

Wyoming has been doing its part in the national supply of energy for a good long time. We need other States to follow. If you are not part of the production solution, don't stand in the way of States that are.

It is in fashion to oppose new development, for some reason. People do so

under the auspices of protecting the environment. We can produce energy with very minimal impacts. We do it every day in my home State of Wyoming. It would be possible in places such as ANWR, too, if a minority of Members would not stand in the way.

We talk about NIMBY, the "not in my backyard" mentality. Now we are going to be told that it can't happen in someone else's backyard. We should respect that in much the same way we are respecting the concerns of Florida in this bill, and we should respect the other Gulf States desiring to allow development off their coasts.

Yes, they stand to benefit from the revenues generated by new production under this bill. I understand this production happens as far away as 50 miles from their shores. These energy products have to make their way onshore at some point, however. That requires infrastructure and ship traffic to maintain the rigs. There are impacts associated with that. We ought to help States with those impacts if they are willing to produce energy for our country.

These States are host to a significant amount of offshore infrastructure as well. The 4,000 offshore platforms in the gulf are accompanied by dozens of refineries and countless production, transportation, and marketing facilities.

Personally, I would like to see the revenues from offshore production used to reduce the national debt. We must base these decisions on the realities that exist, however. We must recognize the burdens to be shouldered by the producing Gulf States. They provide nearly 30 percent of our oil and 20 percent of our natural gas. If we act in good faith toward them, I am hopeful other States will recognize the value and benefits of taking part in offshore production as well.

There are 19.3 billion barrels of oil and 83.5 trillion cubic feet of natural gas in the ocean that are completely off limits right now. This does not make sense. We need those resources.

But what we need more right now is a bill on which we can agree. We need something that can make a difference in the short term. This bill achieves that goal. It recognizes the value of increased production and strikes the necessary balance to make those activities a reality.

I look forward to the passage of this bill, to move it forward to have more production, to increase production and reduce the costs to American users.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, today we heard some interesting news. I would have used the term startling, but based on the news we are seeing from the various war fronts, it is hard to find anything more startling.

The reference I make to this news is brought about by a report. I come out of the corporate world, so I am interested in corporate performance in this

country. I saw the report. If you watch television or read the papers—ExxonMobil, I would say, had a pretty good year. Their profit for this quarter was \$10.4 billion—for the quarter. That is up from \$7.65 billion the same quarter last year.

That is pretty stunning news. It is the largest quarterly earnings of any corporation in America, save one. That is in the history of this country. In the history of this country, ExxonMobil, the quarter just ended in June, was the second highest in the history of the country.

If they were selling widgets or some product, we would say: OK, that is a pretty good job. But when they are selling a commodity that people are literally begging for by way of availability, it is a different picture.

This oil and gas is so much a part of our life that it is almost like the air we breathe or the water we drink. It is incredible.

That then spurred my curiosity. I am, going to file an amendment to the Energy bill. I send it to the desk.

The PRESIDING OFFICER (Mr. MARTINEZ). Is there objection to setting aside the pending amendment?

In my capacity as a Senator from the State of Florida, I object.

Mr. LAUTENBERG. I am sorry?

The PRESIDING OFFICER. In my capacity as a Senator from the State of Florida, I object.

Mr. LAUTENBERG. I am not offering the amendment, Mr. President. I am simply filing it.

The PRESIDING OFFICER. The Chair was not clear. The Senator may submit an amendment.

Mr. LAUTENBERG. I thank the Presiding Officer.

This amendment is to change the bill's title, to call it the "Lee Raymond Oil Profitability Act." I propose that we rename the Energy bill to reflect Mr. Raymond's profitability courtesy of ExxonMobil.

It is quite a thing. As we look at the turmoil this country is going through while people struggle at minimum wage jobs and we see the kinds of profits that are being made off the backs of working people, it struck me, as I dug further into the history of the company—it is a pretty well-run company, but it is so profitable because Americans are going to the pump and buying gasoline at over \$3 a gallon typically. I have seen it as high as \$3.35 a gallon. People who work in these gas stations can't even afford to buy the gas they are pumping. That is how extraordinary this pricing is.

I come from the corporate world and I ran a very successful company. The company is called ADP. It has been in business 50 years. I started it with a couple of other fellows, and we watched our profits carefully. So I know how to read a financial statement.

When I see this, while people are stuck at minimum wage of \$5.15 for 9 years—I am going to detail some of the extraordinary results Mr. Raymond got

as a result of his leadership in that company. The profits, I think, are unconscionable. I don't understand where Board of Directors' conscience is, as I read his benefits program. There is no conscience, and there is no soul at all.

At the end of 2005, Mr. Lee Raymond retired from the chairmanship and CEO position of ExxonMobil. He was working and got a decent week's pay. I think his salary was running about \$500,000 a week. That permits a lot of things to be acquired. But he also then held \$151 million in stock options and holdings. His total compensation for 2005, including salaries, stock options, and pension, totaled \$140 million. He made \$140 million running a gasoline company where prices typically have gone, since January 2002, from \$2.24—and any of the audience that sees this should mark it in their mind—it was \$2.24 at the beginning of this calendar year; it is now \$3. That is the average price. So it has risen some 36 percent I think is what the number works out to be.

It is incredible that during this period of time, while the average working person is struggling and things are getting harder and harder, the cost for gasoline, which is a requirement for virtually every family in this country—whether they have a car or are using fuel oil in their homes—it is outrageous that Mr. Raymond, in addition to those things I just mentioned, has seen his package of stock ownership and stock options go from \$151 million in this period of time—to \$250 million now, so it is a \$100 million boost. Remember, he made \$25 million in salary. But the absurdity of it all and the offensiveness of it all, is that Exxon's board also agreed to pick up Mr. Raymond's country club fees so he could make sure he could buy enough golf balls for a round of golf. Country club fees, use of the company aircraft, and still pay him another \$1 million to stay on as a consultant for another year. Where is their conscience? I don't understand it.

So that is why my amendment would rename this bill the "Lee R. Raymond Oil Profitability Act." That is what it ought to be called, so everybody knows what is happening in this country of ours. People are struggling for a living with a \$5.15 minimum wage, which has been in place for 9 years. Those people are making \$206 a week, if they are working at minimum wage, and they haven't had a raise in 9 years. That doesn't matter. Big business is the interest served by this Government and by the Bush administration. It is incredible.

When President Bush took over, gas was \$1.06 a gallon. That was back at the end of 2000: \$1.06. Now it is over \$3 a gallon. Two years ago, President Bush threatened that if JOHN KERRY was elected President of the United States, he would tax gasoline. Look at this: From \$2.24 up to \$3, this year alone. There is no limit. But that

doesn't bother the conscience of the board members of ExxonMobil, and it doesn't bother the conscience of Mr. Raymond. If he asks for country club dues to be paid on top of everything else, to have an airplane for his private use, he feels entitled to it. These are company expenses, and because they are company expenses, they are tax deductible. It is shameful, I think, and I hope we will do something about it.

I rise to speak against this so-called energy bill. The bill is simply another gift to the oil industry. It is dressed up as some kind of benefit to consumers. I know the media likes to talk about who is winning the debate on this issue or that issue. But you don't see these commentators saying: Let's look back at the effects of legislation after it is passed. So here we are considering a second Republican energy bill. We should ask: What was the effect of the first Republican energy bill? My colleagues across the aisle said of the first energy bill that it would lower gas prices as it goes into effect. Well, here is what we have seen happen in just this year alone: up by 36 percent.

A few months after President Bush signed the first Republican energy bill, gas prices started to soar. So now we know what happens when you take care of the oil companies: Tax breaks and subsidies, and everyday Americans get charged more, pay through the nose, as we say, and now we are ready for a repeat performance.

Will this bill help get gas prices over \$4 a gallon? Think about that, for the average family. Spend 80 bucks to fill up your gas tank. Right now you have to spend over \$60 to fill up a 20-gallon tank. We have to do a reality check about who is writing these bills. President Bush and Vice President CHENEY are both former oil company executives. They focus on helping their friends in the oil business. Big oil companies want to open up our coastline to oil drilling, to platforms, pipelines, and tankers.

Everyone jumps to attention in the Cabinet room there and they say: Yes, sir, as they do here on the Republican side of the aisle. And the oil companies' profits continue to explode.

Just this week, BP announced its largest quarterly profit in their history: \$7.27 billion. BP is a piker compared to Exxon, which made over \$10 billion. This was 30 percent more than the same period a year ago.

I remember hearing in the Commerce Committee when we asked about price gouging and so forth, and the oil company executives denied it: Oh, we don't price gouge, no. Well, somebody is making a heck of a lot of money while people who struggle for a living have to pay more than they can afford just to buy gasoline. Other big oil firms continue to enjoy record profits as well. Royal Dutch announced second quarter profits of \$7.3 billion, almost \$2 billion more than the same quarter a year ago. While Shell's profits increased 40 percent, its total revenue increased less

than 1 percent. So look what has happened. Their profits increased 40 percent, but their revenues increased less than 1 percent. I would like to hear an economist or an accountant explain how wonderful their management is, how good management must have been to pull that trick. In other words, sales were relatively constant, but profits jumped significantly.

Then there is our favorite, the poster company, ExxonMobil. In 2005 ExxonMobil raked in a record \$36 billion in profits. That translates to almost \$100 million a day in profit and more than \$4 million every hour in profit for one oil company. And while all of these oil companies profit, consumers pay.

Now, as this Congress winds down its work for the year, the majority and the administration have proposed nothing that will lower gas prices at any time in the near future. They have nothing to offer in the way of a serious idea or a plan to reduce consumption, to improve efficiency, or to develop renewable sources of energy.

Whatever the question, the answer for this administration and the majority in this Congress is always the same: Hand over some more money to their friends in the oil industry, and give them more opportunities to drill and explore in environmentally sensitive areas. What do we get in return? Higher and higher gas prices. And now they want permission to drill in areas that are sensitive, areas where an oil spill could be disastrous. We had an oil spill in the Delaware River that separates Pennsylvania from New Jersey, and it didn't look too bad, but the cost to clean it up was \$267 million. So there are a lot of risks with drilling in these areas. Higher prices aren't the only negative consequence of this bill.

The bill is going to harm our grandchildren's birthright to enjoy the natural beauty of our coastlines and beaches. I have seen the worst of oil spills. I was sent to Alaska with the Coast Guard 3 days after the *Exxon Valdez* ran aground. Exxon paid approximately \$4 billion in compensatory damages and the punitive award was \$5 billion, and that was in 1989. So we are looking at 17 years ago, and Exxon has yet to pay a dime on the punitive damages. The company has smart lawyers, and they have kept it bottled up in court. They say: Don't pay the bill, whatever you do. ExxonMobil makes \$10.4 billion in a quarter, and the company is still trying to get out of paying the \$5 billion that resulted from the court decision.

It is clear the plan is to pass this bill in the Senate, and then combine it with the House bill that opens up the coastal waters of New Jersey, Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, California, Oregon, and Washington State to oil and gas drilling.

The effects of even one spill off the shore of New Jersey would be devast-

ating. Tourism, a principal business for us, is a \$26 billion industry in New Jersey, and it supports 390,000 jobs. My State has already seen how much economic damage can result from threats to our shore. In 1988, a bag of medical waste washed up on the New Jersey shore. The incident was widely reported in the media and we lost a third of our tourism revenues that year—one-third of our tourism revenue.

We can be sure of one thing: If we drill for oil, we will spill oil, and New Jersey and other States cannot afford to have oil washing up on their shores or polluting their water. States that depend on beaches and marine recreation and clean water for fishing and other activities can't afford to have oil spills along those shores. Our commercial and recreational fishing industries in New Jersey are worth hundreds of millions of dollars. An economic catastrophe would result from an oil spill that reaches our shores, whether the drill rigs are located in the waters off New Jersey or Massachusetts or Virginia.

In short, it is absolutely certain that the current bill can only go from bad to worse. This bill is a Trojan horse and it should be rejected by any Senators who are concerned about protecting their coastlines and their coastal economies. It also should be rejected by Senators who care about developing a long-term, sustainable energy policy, and by any Senator who has a vision for our country which says we owe our children and our grandchildren a clean environment. We owe them relief from what we see now. I have not even discussed fossil fuels and global warming.

In the Netherlands last week, they reported the hottest temperature in June—this past June—ever since temperatures have been recorded: 1704, I believe, was the year. The hottest month ever since that time, since 1704. We see evidence of global warming all over the place. I don't hear anybody on the Republican side standing up here and saying: My gosh, we have to find a way to get these temperatures normalized. We have to find a way to reduce the number of hurricanes. We have to find a way to reduce the ferocity of these hurricanes. We don't want any more Hurricane Katrinas. But here we are, big oil companies are soaking the public with \$3 per gallon for gasoline. It is not fair. We can do better than "more of the same." I hope my colleagues will hear from their constituents back home and oppose this bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, am I recognized?

The PRESIDING OFFICER. The Senator is recognized for 10 minutes.

(The remarks of Mr. BYRD are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, we are debating the Energy bill, the bill that would allow drilling in deep sea waters off the coast of the United States in the Gulf of Mexico. We have heard a lot of conversation about that. I don't want to repeat all of the arguments that have been made, but I want to put it in a perspective that I think might be useful to some who would be watching.

Of course, we have this debate against the backdrop of \$3-a-gallon gas. Everyone gets excited about that, and they say it is caused by \$75-a-barrel oil, and what can we do to bring down the price of oil? The law of supply and demand determines what the price might be.

There are those who think that is determined ultimately by oil costs, but that is not true. It is determined by the world market, and the United States is only one country that is drawing on the world market and asking for this oil to fuel our economy.

We must start with the understanding that the world runs on oil right now in a variety of ways and in a variety of places, which means that everyone in the world—whether they are in China or India, in Europe or the United States—needs oil.

Why oil? Why don't we have other kinds of energy? The answer is that historically oil has been the cheapest source of the energy we need. People said: Well, let's have wind, let's have solar. Wind and solar up until now have been unable to survive unless there is a serious government subsidy for it. As soon as the subsidy is withdrawn, all of a sudden we can't afford to generate energy from these other sources because it is cheaper to generate it from oil. So we have the infrastructure for oil built up, we have the infrastructure for gasoline for our transportation system built up, and it would take an enormous investment and a great deal of time to try to change it. So people need oil.

All right. There is plenty of oil in the world, and it is relatively cheap to produce in some parts of the world. But what is known as the lifting cost—that is, what it costs to lift a barrel of oil out of the ground and put it into that tanker—for Saudi Arabia is about \$1.50. You can produce a barrel of oil at a cost of about \$1.50 in Saudi Arabia. The lifting costs elsewhere are much higher than that.

If we come to my home State of Utah, where we have more oil than they have in Saudi Arabia, the lifting cost to get all of that oil is around \$30 to \$40 a barrel because the oil is locked up in rocks known as oil shale. That is why we don't produce oil from oil shale—not because it isn't there but because it can be produced more cheaply someplace else.

Since it is a world market, people put their oil on the world markets, and the world law of supply and demand determines what will be paid for it. The key number to keep your eye on to determine what the oil is going to cost is

the excess capacity that is available. Let me explain with some numbers.

Right now, the world as a whole is using about 85 million barrels of oil a day. The world capacity to produce oil is about 86 million barrels a day. These figures are not exact. They never are. They change from day to day. But let us use them as representative figures to illustrate the point.

All right. If you are in a position where you have to be sure you can get your oil for your future needs and you look at the world situation and say: You know, there is only a million barrels a day of excess capacity out there, and that million barrels a day could disappear with the snap of a finger—a problem in Iran, a decision by the oil minister in Saudi Arabia, another outburst—explosion, if you will—by the new President of Venezuela. A million barrels a day is not enough excess capacity to guarantee me that my oil will be there when I need it, so I will bid a higher price than I normally would pay just for the certainty that the oil will be there when I need it.

So the oil goes from \$50 a barrel to \$60 a barrel to \$70 a barrel. We have seen it approaching \$80 a barrel. Then when word comes out: Well, that excess capacity is a little more than a million barrels a day. Well, I may not want to bid quite so much for the oil. And the price will settle down a little. When there are indications that the supply of oil will be more secure in the future, the price starts to come down.

This is what we see in what is called the futures markets because people are buying oil for the future. They are making long-term contracts.

All right. The key ingredient in bringing the price of oil down is to make sure the surplus capacity above the amount of oil we use gets bigger and bigger. Right now, as I say, it is only about a million barrels per day. If it were 2 million barrels a day, if there were an additional source of oil, then the price would come down because you would have a bigger cushion to be sure you can get your oil in the future.

Look, there is overcapacity of 2 million a day. Back in the days when oil was available for \$30 a barrel or \$25 a barrel, the excess capacity was 5, 6 and 7 million barrels a day. People were comfortable making long-term contracts because they knew that excess capacity would make the oil available to them.

Just as a side note, in this body, we approved, along with the House of Representatives, back some 6 years ago authority to drill in Alaska. President Clinton vetoed that bill. It takes about 6 years for that kind of investment to bring oil on line. If the bill President Clinton vetoed had been signed, we would have an additional million barrels a day of oil on line in the world right now. That would virtually double the amount of excess capability that is currently available. But that was not done. We are where we are.

That is why this bill we are debating is so important—not just for the

amount of oil that is there but for the amount of increased capacity it will deliver to the world markets when it comes on line. And then what happens? Then, by virtue of that amount of excess capacity above the amount the world is using, the futures price for oil will start to come down. That is the way the law of supply and demand works. Around here we have never been able to figure out a way to repeal the law of supply and demand. That particular law trumps virtually everything else we do.

That is one of the reasons I am supporting this bill, to say the time has come for the United States to have that impact on the world price of oil by virtue of our ability to produce that additional capacity.

But there is something else here as important as oil with respect to what is available to us in what we call area 181, and I am talking about natural gas. The same thing that I have to say about the impact of excess capacity on oil applies to natural gas. Natural gas is something more than just energy. This is why natural gas is doubly important. Yes, we use natural gas to heat our homes. We use natural gas to cook our meals. We use natural gas to generate electricity. Natural gas is the fossil fuel of choice. Everyone wants it. Everyone says it is clean, it is plentiful. Historically, it is cheap. Let's put in natural gas. When everyone wants it, that means the demand for it goes up, that means the supply gets tight.

We discovered a few years ago something about natural gas that is very obvious but that some people had not realized. Natural gas is the one form of energy we cannot import. Natural gas gets imported by pipeline. The only place we can bring in natural gas once we have tapped all of the natural gas available in the continental United States is by pipeline from Canada and Mexico. There is a lot of natural gas elsewhere in the world, but we cannot bring it to the United States because it comes in by pipeline.

Now, it can be liquefied. It can be put on a ship. It can come here as LNG, liquefied natural gas, but we don't have that many ports that can receive LNG. It is a very major financial investment to build the port, to equip the port to handle LNG, to build the tankers that can handle LNG. There are those who are doing that, but in the meantime the amount of natural gas available in the American economy is confined by the rising demand.

Natural gas, the petrochemicals in natural gas, are a critical element of the chemical industry. When the price of natural gas goes up, the price of all of our chemicals goes up. It is a critical element in the fertilizer industry. We are proud of our capacity to produce enough food to feed all of America and still make it a major export, but we cannot do it if the cost of fertilizer drives farmers off the land. And the cost of fertilizer is tied to the cost of natural gas.

When you realize that in area 181 there is not only enough oil to change the balance of the overcapacity that can bring down the futures market in oil, there is also enough natural gas to have a significant impact on the price of natural gas and help us with lower costs in the chemical industry, lower costs in agriculture, lower costs with fertilizer across the board, you realize that opening this area for exploration and drilling is something that should have been done a long time ago.

We know one of the main reasons why it was not. It has to do with State interests and State concerns about what will go on. This bill very cleverly and carefully crafts a series of royalty incentives to get the States on board.

With Senator MCCONNELL, I went down to Mississippi and then to New Orleans to see firsthand the devastation. In the presentation that Senator MCCONNELL and I received was an exposition of the damage out in the Gulf of Mexico to those lands that have acted as some kind of a barrier for future hurricanes. That area desperately needs to be rebuilt. It needs to be rebuilt for economic reasons, it needs to be rebuilt for environmental reasons. It is in serious trouble. The State can't afford to rebuild.

But with the revenues that are in this bill for the State of Louisiana, there is a possibility that they can start to rebuild and produce enormous benefits for all of their people and for all of the country. This becomes a source of revenue that can be dedicated to that particular ecological activity that is good environmentally and good economically.

So you put it all together, you have a bill that I think should pass unanimously. I know it won't. We never do anything unanimously around here unless it is completely noncontroversial, and something of this kind always has a little controversy connected to it. It probably comes as close to being the right bill at the right time in the right place as anything we have seen.

A year ago we passed a comprehensive energy bill that has started down the road toward increased nuclear activity with respect to creating electric power. This bill, coming a year later, is a logical companion piece to the bill we passed a year ago because it starts us down the road toward alleviating the upward pressure, the constant upward pressure on the price of oil and the price of natural gas and doing it in a way that those States that have previously resisted this kind of economic activity now say we understand and we will participate in a beneficial way. That is why this bill is bipartisan. That is why it is supported by the Senators from the States most heavily hit by Katrina and the other hurricanes that occurred.

One of the things Katrina taught us that should give us further comfort as we debate this bill is that our technology for deepwater drilling is sufficiently stable that it can withstand a

hurricane of Katrina's force and not produce any kind of an oil spill, not produce any kind of an ecological difficulty.

It is interesting to recognize the greatest ecological damages from oil spills have come from tankers bringing oil across the ocean, rather than from oil platforms drilled in the ocean. If we want to reduce our dependence upon the oil being shipped in the most dangerous way in terms of the environment, we should pass this bill and proceed with this activity.

It comes as no surprise that I express my strong support for this bill for economic reasons, for environmental reasons, and for long-term planning reasons. It is, as I say, the right bill at the right time and in the right place.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

The PRESIDING OFFICER (Mr. CORNYN). Without objection, it is so ordered.

(The remarks of Mr. WYDEN are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I have enjoyed hearing my distinguished friend from Oregon, who is always an effective and enthusiastic advocate. We worked together on many things, and I hope we will on many more things in the future.

I want to talk a little bit about the price of natural gas and how we can get it down. We have an opportunity to do that next week in the Senate. The Senate is considering the Gulf of Mexico Energy Security Act of 2006. It directs new oil and gas leasing in 8.3 million acres of the Gulf of Mexico. It directs the Department of the Interior to begin oil and gas leasing in designated parts of what we call lease sale 181—that is just the name of a geographic area—no later than 1 year after the bill becomes law, and directs leasing in 181 south, an area below the one just described, as soon as practical.

From the revenues that come from that, we will deal with those in the traditional way. First, there is a royalty, and 37.5 percent of the royalty will go to the affected States, which I assume includes Louisiana and Mississippi and Alabama, and perhaps the Presiding Officer's State of Texas. Then 12.5 percent will go to the State side of the Land and Water Conservation Fund under an arrangement that has been in the law for 40 years, to take some of the money we use from offshore drilling and use it for State parks, soccer fields, city parks. The money goes to the States.

We do a lot of things here in the Senate, and some may sound more relevant than others. But this is legislation next week that will affect blue-collar workers in America, it will af-

fect homeowners, and it will affect farmers. It could affect the price of gasoline. The price of gasoline is set by the world marketplace, as the natural gas price is as well. But the major effect, I think, will be on the price of natural gas. Let me explain for a few minutes why I am talking about natural gas instead of gasoline.

If you stop and think about natural gas, one could easily argue that an extraordinarily high price for natural gas has more of an effect upon the lives of Americans than an extraordinarily high price of gasoline. A year ago, when the price of natural gas was about \$15 a unit—to put that into comparison, that would be about the same thing as if gasoline were at \$7 a gallon. That would be about the same thing. Now, imagine that. What if gasoline were \$7 a gallon across the United States? We would have revolutions from Odessa, TX, to Mountain City, TN, and North and South, and in every direction. People would say: We can't stand that.

Well, we were having a very hard time a year ago with the natural gas prices at \$15 a unit. Now, fortunately, they are back down to a little below \$7 a unit. But this economy of ours, this United States of America, was built on a natural gas price of about \$2. So it is three times as high as we were accustomed to it being.

And what difference does that make? Well, if we pass this legislation next week, we can reduce—or at least begin to stabilize—the price of natural gas, and that helps American workers. A lot of speeches are made here—and the Presiding Officer has heard as many as I have—saying no more outsourcing. Let's not send jobs overseas. Don't let them go to Germany, India, and China. Why don't we adopt policies that stop that?

Here is a good way to stop jobs from going overseas. There are 1 million jobs in the chemical industry in the United States today. These are good, high-paying jobs. Most of them are blue collar, but many are white collar. These are manufacturing jobs in the United States of America, millions of them. A place like Eastman Chemical in Kingsport, TN, is an example. Eastman Chemical, as far as we are concerned in Tennessee, has been there about as long as the Great Smoky Mountains. My uncle used to work there. In the Appalachian part of Tennessee, where income has never been high, for a long time Eastman has paid a good, high, steady wage to families. It has transformed the area. There are good schools, good roads, strong families, and good communities, with 10,000, 12,000, or 15,000 jobs right there in that area. People drive 50 to 80 miles to go to work. Some have been working there three and four generations. Eastman makes chemicals. Out of what? The major raw material for chemicals at Eastman is natural gas.

The president of Dow Chemical testified before the Energy Committee that

natural gas, used as a raw material, accounts for 40 percent of Dow's costs. So if the price of natural gas goes from \$2 to nearly \$7, as it is today, or to \$15, as it was last year, what do you suppose happens? If Eastman is going to expand, or if Dow or another company is going to build another plant, are they going to build it in the United States? No, those jobs will go overseas, and they have been. There are maybe 100 chemical plants being built around the world. Only one is being built in the United States, and the major reason is the high cost of the raw material, natural gas.

So there is the first reason the vote we are having on Monday afternoon at 5:30 makes a difference to the average American and to all Americans. Well, none of us are average. We are all individuals. We like our jobs. There are a lot of jobs at stake, and it is not just the chemical industry that is affected by the high cost of natural gas.

A year ago, the Tennessee Farm Bureau joined me in sponsoring a roundtable on natural gas prices when they were at \$15. One of those who was at the roundtable was the president of Saturn. The General Motors Saturn plant came to Tennessee when I was Governor. It is an innovative plant, and we are proud that they chose Tennessee. At the roundtable, the president of Saturn said to me: We have done about all we can, in terms of efficiency, to deal with this incredible cost of natural gas in our automobile plant. After this, it is going to begin to affect the cost of our cars.

If the cost of auto parts suppliers and the cost of automobiles that are manufactured in the United States goes up, the jobs go overseas. If you can put an engine plant in Germany, or some other kind of supplier in Mexico, they will do that because of the high cost of natural gas. So it affects manufacturing.

The Tennessee Farm Bureau was helping me host that roundtable because the high cost of natural gas affects farming. Farming uses a lot of energy and uses a lot of fertilizer. The biggest raw material in fertilizer is usually natural gas. So the price of fertilizer doubles when the price of natural gas goes up like that.

The rising price of natural gas affects millions of Americans—workers, farmers, and also those who are heating and cooling homes with natural gas. What do you suppose the local gas company does after a while when the price of natural gas goes from \$2 to \$15? What do you think that will do to your local bill? It is going to go right through the roof. For retired families, for low-income families, the high price of natural gas hurts. So the vote we are having on Monday is about blue collar workers, about farm families, and it is about all the families who heat and cool with natural gas. That is the importance of natural gas prices.

Now, I see my friend from Arkansas here. I assure him that I am not going

to be too extensive in my remarks. I look forward to his. I have a few more things I would like to say.

The second point I want to make is that the bill we are dealing with Monday is part of a comprehensive plan. I have heard a few colleagues come here and say we cannot drill our way out of this big problem we have with oil. They are absolutely right about that. Everybody in this Senate knows that because we spent 10 years working on a comprehensive energy bill—the Energy Policy Act—which we enacted about a year ago after weeks and weeks of debate. It could have been called the “Natural Gas Price Reduction Act.” I am not going to stand here and say that bill is the reason the natural gas price has gone from \$15 last summer to \$7 today, but I hope it helped.

Market forces overrode all of that. But the Energy Policy Act surely put us on the right path, because to reduce the price of natural gas and to begin to stabilize the price of oil and make sure this big country of ours, which uses 25 percent of all of the energy in the world, has a steady supply of reliable, low-cost energy that is clean and as carbon-free as possible, we set this country on a different path by passing that comprehensive energy legislation a year ago, and we started with conservation.

We need to be more aggressive about conservation, and there may be a conservation bill that we ought to enact later this year or next year. We also aggressively moved to encourage nuclear power because nuclear power produces 20 percent of all of the electricity in America and 70 percent of the carbon-free electricity in America. That means it is our major weapon against global warming. If my friend and fellow Tennessean, Al Gore, were to do a sequel to “Inconvenient Truth” and call it “Inconvenient Truth II,” it would be about nuclear power. That is the solution to global warming.

So, first, we encouraged conservation. Then we began what is turning out to be a renaissance of interest in nuclear power.

Third, the Energy Policy Act included incentives for clean coal. We have a lot of coal. So if we make more electricity by nuclear power and more electricity by coal and we conserve to begin with, then there is less demand for electricity made from natural gas and the price goes down. Almost all of our new electric powerplants over the last 10 years were made by natural gas. That is like burning antiques in the fireplace to heat your home. That is a pretty dumb way to go about the business of producing electricity.

Let's conserve, build nuclear powerplants, encourage the use of clean coal, recapture the carbon, deal with global warming, reduce the price of natural gas, and that is not all. We also made it easier in the bill last year to import liquefied natural gas from overseas. That is a complicated process. We don't want to get into the same shape in nat-

ural gas that we are with oil, where we get most of it from overseas, but we can increase imports of LNG. Bringing it into terminals here and piping it into our system helps increase our supply, and that lowers the price and, apparently, that has begun to work.

Renewables help. There are some things we can do in that area. We can make ethanol from corn. We can make biodiesel from soybeans. I held a roundtable in Tennessee on biodiesel the other day. I even heard in a hearing that a factory is opening in Oak Ridge that will make ethanol from coal. We can make fuels from other sources, but we need a lot of fuel for cars and trucks, and we need a lot of fuel for electricity in this country that uses 25 percent of all of the energy in the world.

One thing we did not do last year was take any significant step to increase the supply of natural gas that comes from the United States. I think any logical person would say if you are going to take a comprehensive look at the high price of gasoline and the high price of natural gas and its affect upon Americans, you would want to include increasing the supply while we are transitioning to other forms of energy production. This is going to take us 5 or 10 years. In the meantime, we don't want to pay \$7 for gasoline and \$15 for natural gas. One way to do it is to increase our supply.

That is why we are voting on Monday on deep sea exploratory drilling in one of the most promising areas in the world for more natural gas. That is what we call Lease Sale 181. Someone said on the Senate floor there wasn't much gas down there. I heard the Senator from Louisiana say the following, and I believe this is true: It is enough to heat 6 million homes for 15 years.

It is six times the amount of the liquefied natural gas that we are importing today in the United States. That is a lot of gas. It is more oil than we import from Saudi Arabia, our principal supplier of overseas oil. It is more oil reserves than Wyoming and Oklahoma combined.

So in our great big economy, where we use 25 percent of all the energy in the world, it may only be a small part of our overall needs, but it is a lot when you think about heating 6 million homes for 15 years. And I suspect that if we move ahead aggressively to tap this new supply of natural gas and oil, it will help to stabilize the price of natural gas and might even move it down a little and help the blue collar worker, the farmer, and the homeowner.

Some say that energy independence is not a real goal. I don't agree with that. What I mean by energy independence is that the United States will not ever again be held hostage by some other country. It doesn't mean we won't buy oil from Mexico or natural gas from Canada. But we don't want to have to do that if we don't want to. So that is why, in the comprehensive En-

ergy bill last year, we accelerated research for hydrogen fuel cell vehicles and gave incentives for hybrid cars. We want to reduce our dependence of oil overseas and transform our economy permanently. We don't want to drill our way out of the problem. We all know we can never do that.

Over the next 5 or 10 years, we'd better make sure we use the oil and natural gas we have available in this country if we want people to be able to drive their cars, work their farms, keep their jobs, and pay their bills. That is what we will be voting about Monday at 5:30.

We have been extremely careful with the environmental impact of this bill. I am very proud of Senator DOMENICI and others for what they have done on this issue. These rigs will be 125 miles away from Florida. You can only see about 20 miles out to sea. So that is a long way out. They are out of the way of airplanes and military craft. The technology we have means there is more natural leakage of oil from the sea floor than from all these rigs out there. So the environmental damage is minimal. Plus, we are going to take half the revenues from this drilling and use it for environmental purposes. I think that is great. Mr. President, 37½ percent goes for wetlands and other areas in the Gulf Coast heavily damaged by hurricanes, and 12½ percent is an outdoor recreation and conservation royalty. It is not a lot of money, but it begins to say that we are going to have an environmental benefit. It is a balanced formula that a majority of Senators can easily support.

Mr. President, this is a focused bill. This is a little left over work that we didn't get done last year when we passed a comprehensive piece of energy legislation that put that “freight train” energy policy moving slowly down the track in the right direction, toward large amounts of clean, low-cost, reliable, domestic-produced energy.

We had in that bill conservation, nuclear power, clean coal, and we made it easier to import natural gas. We had extensive support for renewables, but we didn't do anything about domestic supply. This finishes the job. So that is why this is a focused bill.

There are many other great ideas about energy, and whenever we subject ourselves to an energy debate, it will take us a long time because we have many good ideas and opinions. But from time to time, we need to take a focused idea about which there is emerging consensus and do it.

Two years ago, you could not even mention the idea of offshore drilling here. Last year, we had a majority of votes in the Senate for it, but we could not get to 60. This year, we got 86 votes on the motion to proceed, and we have a broad bipartisan consensus. I suspect in future years we will find other ways to permit, say, Virginia, for example, if it chooses, to permit drilling for oil and gas in certain areas offshore where

the rigs cannot be seen, and use some of those revenues from drilling to create a trust fund for education, use them to lower taxes, or use them to improve the coastlines of Virginia. I know if I were Governor of a coastal State, I would do that in a minute. I would rather not have an income tax, and I would rather have the best and biggest trust fund for my university system. That is exactly what Virginia could do, but we are not doing that here. We will address that when there is a consensus about it. There is a consensus about this.

As we move toward the end of the week and as people begin to think about what the Senate is doing that affects their lives, if you are a manufacturing worker in this country, we are going to affect your life at 5:30 on Monday afternoon. If you are homeowner paying your bill for 105-degree heat with natural gas, we are going to affect our life at 5:30 on Monday afternoon. If you are a farmer and have seen the price of fertilizer double, we are going to affect your life at 5:30 on Monday afternoon. We are going to vote for you if we vote for the energy security bill on Monday.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I rise today in support of S. 3711. I found the comments of our colleague from Tennessee, the distinguished junior Senator from Tennessee, very interesting. Basically, he and I are on the same page on this issue; that is, I hope S. 3711 is part of a larger, smarter energy policy for this Nation.

There are really two sides of this equation, and then there are some complications in between. Basically, the two sides are supply and demand.

We have not done a lot on the supply side in the last few years, so I think it is important for us to look at drilling as an option. Certainly lease area 181 makes a lot of sense. We have infrastructure there. Generally speaking, we know how much oil and natural gas is in lease area 181. It is not a big stretch for people in those industries to get out there and find that oil and gas and get it to the marketplace. So traditional drilling in that sense makes a lot of sense, in my mind.

Also, I hope the Senate will continue to work on legislation to encourage alternative fuels, such as biofuels—I know the President in his State of the Union Address mentioned cellulosic fuel, and that is important—ethanol, agriculture products, animal waste, et cetera. That is just smart energy policy, and it creates a supply of energy. And that is very important.

On the other hand, we need to look at demand and we need to look at conservation. Certainly, this country can do much more with regard to conservation, with some industries and some aspect of our economy, and also efficiency. We need to become more efficient and smarter and use technology

to try to get smarter on our energy usage.

I certainly concur with what the Senator from Tennessee talked about, supply and demand. We know under the current conditions gas prices will not go down by themselves. We are going to have to do some things in this country to help the oil markets get where the American public want them to be.

Also, S. 3711 on offshore drilling makes a lot of sense because it is narrowly focused and narrowly tailored. It is the right policy at the right time. Maybe one of the more controversial parts of this bill is revenue sharing. I am from an interior State. Under the circumstances as presented today, I don't have any objection to revenue sharing. I know Arkansas will not benefit as much as the States on the coast, but that is OK. We know the devastation the hurricanes caused in that region of the country, and we understand that one of our 50 States—Louisiana, in particular—has been dramatically impacted and maybe forever altered by Hurricane Katrina. Certainly Alabama and Mississippi have had their share of hardship.

When we look at New Orleans and look at that coastal area of Louisiana, we understand they are in dire straits. We understand this is a unique time in history, and we need to get the resources to the gulf coast to help right now rebuild the gulf coast but also help with future storms.

The other point I like about S. 3711 is that it recognizes that the cost of energy ripples throughout all of our economy. A few moments ago, we heard someone mention that with regard to farmers and fertilizer, about 90 percent of the cost of fertilizer is the cost of natural gas. If we look at the plastic that is in this pen, some of that cost is in the petroleum and natural gas that is required to make this product. All that eventually, ultimately, gets passed on through the economy. So when we see very high natural gas prices and very high oil prices, we know it is inflationary and we know the damage those high prices can do to our Nation's economy.

Arkansans—and I think all Americans—feel squeezed right now. If a family used heat in the wintertime, if they cooked with natural gas, they paid an average of \$920 in natural gas last year. That is a lot of money. That is an increase of \$178 just over the winter months I am talking about. That is a lot of money. Those are real dollars to people in my State and I know people around the country.

The price of natural gas, which supplies a quarter of the energy used by Americans, has more than doubled in the past year, and demand is going to continue to rise. Demand will rise about 40 percent over the next 20 years. This is significant. This dynamic is something which we as policymakers need to be aware of and we need to work with that reality.

About a quarter of all natural gas is used to produce electricity. The rest is

to manufacture plastics, cars, computers, medical equipment, and all sorts of products, even bottled water. Those bottles are made with natural gas.

This week, the price of natural gas was \$6.15 per million Btu. We think about that and we may not have anything to compare it to, but let me tell you, Mr. President, in countries that we compete with for jobs, that we compete with for manufacturing, places such as Russia, natural gas is \$1.25 per million Btu's. It is \$6.15 here to \$1.25 there. Look at the comparisons around the world. For whatever reason, we are paying more for natural gas, and it is putting the U.S. economy at a disadvantage.

We see transportation costs have doubled. We know how important trucking and other transportation is in this country. That is overall in the economy. But when we look at transportation costs for a family, the average household with children will spend about \$3,815 on fuel this year. That is a lot of money. There again, that is going to increase by about 100 percent as compared to 5 or 6 years ago. The people in my State and the people around the country certainly are feeling the squeeze. If you book an airline ticket today, it is probably going to be 11 percent higher, and a big piece of that is the cost of jet fuel.

One of the last couple of points I wish to mention about this legislation is that it is a compromise. It is a compromise in maybe the best sense of the word. We have a lot of competing interests, a lot of good ideas that have come into this discussion. Many of those ideas were included either in whole or in part in this legislation.

This bill will open 8.3 million acres in the Gulf of Mexico, and it lifts production bans in lease area 181. Again, I think that is the right policy at the right time. At the same time, it bans drilling within 125 miles, and that is good until 2022. Again, I think that makes sense. Congress is trying to be very sensitive to various States' needs, trying to respect those needs and those desires. We are attempting to do that, and I think we are accomplishing that in this bill.

Back to natural gas, lease area 181 in this bill will add about 5.83 trillion cubic feet, and that is a lot of natural gas. Right now, we use about 23 trillion cubic feet a year. So this is a significant help over time. It will take a couple, 3 years before that actually hits the market, but it will help. Also, it will produce about 1.26 billion barrels of oil.

The last point I would make is that this is a narrowly tailored bill. But there is one person who I think has shown complete tenacity in trying to get us to where we are today, where we will be Monday, and that is Senator LANDRIEU of Louisiana. She has been amazing. Of course, her State has been forever altered by Hurricane Katrina. Certainly, we join her in saying we

want Louisiana to come back stronger than ever. New Orleans is one of the great American cities, it is one of the cultural centers of this country, and we want it to come back stronger than ever.

Sometimes we forget how important that New Orleans area is to the entire country. It is one of the largest ports in the United States, and the fact that it is sitting right at the mouth of the Mississippi is critically important to the entire midsection of the country. If you live west of the Appalachians or east of the Rockies, you are impacted by what happens in New Orleans because that whole system, that entire Mississippi River basin or watershed, all the rainwater, all the floods—everything—eventually goes down the Mississippi. If the Mississippi is not functioning correctly down near New Orleans, it has a very adverse impact on flood control, on agriculture, on industry, on hydroelectric power, and on any number of things up and down this entire watershed, which is the largest watershed in North America.

I thank Senator LANDRIEU for her tenacity, for the example she set for all of us in fighting for her State and fighting for her country in a time when we need her leadership. She has shown that time and time again. I bet every Member of this body at some point or another has spoken with Senator MARY LANDRIEU about how important it is to rebuild the gulf coast area and Louisiana specifically. She has done a fantastic job. Even if I disagreed with this policy, which I don't, out of respect for her and the great work she has done, I would support her legislation because I know how important it is to her.

The bottom line is, Louisiana is one of the 50 States. It is a sister State. We came to the aid of New York after 9/11, and we should have. We have come to the aid of many States in specific regions after disasters and catastrophe, and we should. That is part of being one Nation, one people, *E pluribus unum*. It is time for us to come to the aid of Louisiana. It is a long-term proposition. Louisiana does not have an easy solution where we throw a few dollars at it and it is done. There are major infrastructure investments we have to make there. We also have to make them along the rest of the coastline in Mississippi and Alabama.

So I think this is an important first step. As I said, I hope that S. 3711 is part of a larger and smarter U.S. energy policy. I hope next year we will come back and revisit some of these very good ideas the Senators have talked about this week and in the previous months when we have been looking at this lease area 181 bill, because there are a lot of good ideas out there. I know Senator WARNER and I have one that would open the entire OCS, and it is something we would love to have included here, but we understand we may have to wait until another time. But there are a lot of good ideas out there, and I think it is time for us to think

long term and think about energy policy that makes sense for everybody.

Mr. ROBERTS. Mr. President, I rise today in support of S. 3711, the Gulf of Mexico Energy Security Act.

S. 3711 takes a much needed and long overdue step forward in our Nation's energy policy. For too long we have looked to others to supply our growing demand for energy. Too many of our energy resources are imported from unfriendly and unstable places in the world like Nigeria and Venezuela. We can no longer afford to rely upon the Hugo Chavezes of the world to fill up our gas tanks, heat our homes, or provide fertilizer to grow our crops.

Today we have the opportunity to look in our own back yard for the resources necessary to sustain our economy's growth.

S. 3711 opens roughly 8.3 million acres to oil and gas exploration. An area with roughly 5.8 trillion cubic feet of natural gas and 1.26 billion barrels of oil. One sector of our economy in desperate need of increased oil and gas production in the Gulf of Mexico is agriculture.

Mr. President, farm country is struggling to find our next generation of farmers. Agriculture's future depends on motivating young people to enter into a business with increasing input costs and stagnant product prices. Without a revitalized wave of young producers, our Nation's food suppliers will continue to face an uphill battle. Alleviating high natural gas prices is one way to help current producers and entice young farmers to return to the fields.

Agriculture depends on significant amounts of natural gas for irrigation, food processing, crop drying, heating homes and farm buildings, and producing fertilizers which are necessary for plant growth.

For agriculture, natural gas is not just an energy source, but it is also a feedstock in the production of nitrogen fertilizer. Natural gas accounts for roughly 90 percent of the cost to produce one ton of nitrogen fertilizer.

In 2005, natural gas prices rose to \$15.00 per million BTU's. In the past 6 years, the U.S. has gone from spending \$50 billion per year on natural gas to \$200 billion per year. These high prices have hit the nitrogen fertilizer industry hard. Since 1999, 17 ammonia plants permanently closed due to the high cost of natural gas. The result is a fertilizer industry that recently received 85 percent of its feedstock from domestic sources to one that now relies on foreign imports to supply 50 percent of their natural gas needs.

Much attention in Congress has turned to alternative sources of energy to meet our demand. Ethanol used to be a word spoken only in farm country. Now ethanol is part of the daily jargon on the streets of New York and Los Angeles.

What some folks may not understand about ethanol produced primarily from corn is that farmers in many parts of

the country use nitrogen fertilizer and irrigation systems to grow corn—two inputs heavily influenced by the price of natural gas.

You see, Mr. President, if we do not increase the amount of domestically produced natural gas, our renewable fuels industry will grow more and more dependant on imports from volatile parts of the world.

Now is the time to change our attitude about our energy supply. Domestic, environmentally safe production can and should take place on American soil and off our shores. S. 3711 moves our Nation's energy policy in the right direction. One that leads to greater energy independence and price stability. I encourage my colleagues to support our agricultural industry and vote for S. 3711.

Mr. President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER (Mr. CHAFEE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I would like to speak on the energy production bill that is on the floor. Is that appropriate at this time?

The PRESIDING OFFICER. The Senator is recognized.

Mr. SESSIONS. Mr. President, I am a resident of Mobile, AL, on the gulf coast. We drive down to the beaches periodically. What I would like to convey to my colleagues is that Alabama, Mississippi, and Louisiana have always allowed production of oil and gas offshore. We even allow production very close inshore. The beautiful Mobile Bay, a fragile estuary, has a number of very large oil rigs in those estuaries that have produced very large amounts of oil and gas. We have never had a problem of any serious nature of an environmental negative impact.

As we begin to discuss this subject, we need to ask ourselves, what is the opposition to drilling in an expanded area of the deep Gulf of Mexico, 125 miles or so south of Alabama and Florida, and 200 miles west of Florida's western beaches of Tampa? What is the opposition to it? I ask that question.

Is it a sincere environmental objection or is it just a persistent opposition to the utilization of oil and gas that many people have in America today? Is it some sort of hostility to oil companies? Is that what is making people have a hesitation?

I would like to discuss those areas a little bit.

Let's talk about the environment. We have at this time 4,000 producing wells in the Gulf of Mexico—4,000. We have had one of the most devastating hurricanes ever to hit in Katrina last year. We had several other hurricanes that had very high winds—not quite as big, but their winds at times were nearly as

strong as Hurricane Katrina's—that came through the gulf.

Official reports have indicated that 3,000 of those 4,000 wells that are existing now in the Gulf of Mexico were in the direct path of one of those hurricanes last year, and we had not a single spill of any sizable amount. Several of the platforms, large as they are, were damaged. But they have, in ways that I am not able to fully explain, shut-in valves down under the water, at the ground, and it shuts off the oil from the well, and no matter what happens to the rig there is no spill of oil.

In fact, only about 2 percent of the oil in our waters around the U.S. come from oil production, or maybe less. But 63 percent comes from natural seepage. Most of it comes from runoff from storm sewers and things on the land. All that is really very small. It is not a huge impact in any way.

I would just say to my colleagues, when you go fishing in the Gulf of Mexico, as I like to do when I can, which isn't often, you tend to fish around these rigs. Just over Memorial Day weekend I was out with my brother-in-law and nephew. We went fishing around the oil rigs and had a little luck. That is where people fish. It provides a structure that allows growth of foods, sources that feed smaller fish, and larger fish feed around them, and that is where people fish. Nobody worries about that or expects any kind of problem with it. They have been there for decades now.

So the environmental question is not a real one, in my view. It has, to a degree, been settled more than we can imagine.

But I would say this: The same people who may be worried about drilling in the gulf don't seem to be very worried about drilling in the lake at Venezuela, or the Persian Gulf, or the Caspian Sea. These are smaller bodies of water, self-contained, in which a spill would be even more dangerous. That is where we are getting much of our oil and gas today, from those areas of the globe. Many of those areas that we produce oil and gas are far more subject to being damaged, perhaps, than if we had a spill in the vast Gulf of Mexico.

Then there is this argument: We don't like the oil companies. You are trying to help the big oil companies.

I want to dispute that and dispute that unequivocally. My goal is to serve my constituents. How do I serve my constituents? I help them receive the necessary, critical oil and gas that they need to carry on with their lives at as low a price as possible.

I don't think it healthy or justifiable to say to my constituents in Alabama: We are not going to let you produce oil and gas off the coast of Alabama, Mississippi, Texas, Florida.

We are not going to let you get any gas and oil from there. We are going to require you to buy it from Hugo Chavez in Venezuela. We are going to require you to buy it on the markets of the

world where it may have come from Iran, and certainly Saudi Arabia, or Iraq, or other countries. Some of those haven't been friendly to us. They charge whatever they can charge. A couple of years ago, it was \$35 a barrel and now it is \$70-plus a barrel.

What kind of sense is that? If some big oil company has a long-term contract with one of those foreign countries to buy oil at \$35 a barrel that was signed 2 years ago, why would they want production in the gulf? In fact, they may not.

I don't see the oil companies demanding increased drilling in the gulf. This is coming from people who can add dollars and cents, people such as this Senator who travels the State, talks to our constituents, listens to what their concerns are, goes to church, and goes out on the street shopping, and people come up to you and they talk about the high cost of gasoline. That is what they are talking to me about. I look them in the eye, and I say I am going to do what I can to make these prices lower.

We tried putting in a law that sets prices, and that was a total failure. You can't fix prices by statute. It is a marketplace out there. And what do you do to make the marketplace work on your side? You increase production. Frankly, it doesn't require a huge increase in production to make a big price adjustment.

If the world demand is here but the supply is a little more than demand, surpluses build up, and all of a sudden the prices start falling. People have oil in their tanks. They cannot sell. So they cut their price to sell more. Somebody else has to cut the price, and it drops down. If you have a world supply here and demand is a little above the supply, and the world is out here and can't meet it, people have shortages, and they have to bid the price up to get more. Then you have a problem. Even small amounts can make a big difference in prices. That is all I am trying to say to my colleagues.

I emphasize again that the reason to produce within the Gulf of Mexico, as I believe ANWR and several other areas of this country, is because that money stays at home. It doesn't go to Hugo Chavez or others. It helps generate our economy. It creates jobs in our economy. People who make money pay taxes to our Government, not to some foreign government. The pipes and that kind of thing work. And the transportation costs are less because it is much closer.

These are factors which are relevant to any policymaker in our Nation.

We have artificially denied our Nation the right to produce this oil and gas that is right off our shore for far too long. It is time for that to end and to go forward with this production which will help our economy, help create jobs, help contain and actually reduce whatever the price of oil and gas may be in the future. It will be less cost to produce in the gulf than it would be otherwise. I have no doubt.

I see the distinguished majority leader. I will be pleased to yield to him, and at this point I thank him for his understanding of this critical issue. He has been steadfast and clear about it ever since I have been in the Senate, 10 years. And now we are at a point where we might get something done this time.

I thank him for his leadership, and I am pleased that both Senators from Florida are supporting the bill, so we have some cause for optimism.

I yield the floor.

THE PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, while my distinguished colleague from Alabama is on the floor, I thank him for his leadership on this particular issue because it gives us that opportunity to act with meaningful solutions to problems everyone is feeling. So many things that we do here are issues that seem so macro, so big. I am sure when people are watching C-SPAN or television or they even read about what we do, they wonder, are those people up in Washington doing anything to address the issues that affect me, the squeeze that I feel, the cost of living that we know has to be addressed?

Then you say, What are those things? Where is that squeeze coming from, despite the record low unemployment rate of 4.6 or 4.7 percent and the creation of 5 million jobs?

It comes back again and again—those energy costs, filling up that gasoline tank, getting ready to go on vacation, or altering your vacation, or paying that heating bill, or this time of year that air conditioning bill. And it comes back to energy.

Now we are acting and we are acting in a way that in the past has been stopped—and that is by looking right here at home at the good old American homegrown supply.

Everybody knows that ultimately in the market-based system there is supply and demand. Now we are addressing supply directly, as my colleague mentioned, in a way that is very protective of our environment, of our coastlines, that is environmentally sensitive but in a way that we know will open as much as a million or more barrels.

I thank my colleague for his leadership and also for his explanation so people fully understand the impact of that legislation which is now on the floor.

There is a lot going on. I want to make a couple of comments because there are some things going on right now. The House of Representatives will probably be out tomorrow. We will be in session tomorrow. We are working on a whole range of issues in conference and in our discussions as we look ahead for the next week that we will be here, and then the 4 weeks in September when we come back. I am very hopeful that the House will pass the pensions conference report and sometime here in the next 24 hours. I know our colleagues from the Senate

who are on the conference are working very hard to get the House Members to move ahead on the issue that we know is very important to the American people. Individual retirement security. Again, it goes back to this cost of living and the squeeze that people feel. That is what this pensions bill is all about.

Other issues that are being addressed are so-called tax extenders because we have to act now every year. We would like to make these tax cuts permanent, but we have to act every year and extend them for 1 year or 2 years.

What is also interesting in terms of message is the great impact that tax cuts put forward by this body under the leadership of President Bush have had—a huge impact on individuals and families.

One of interesting things that I find when you say we are going to make the tax cuts permanent and extend them for 3 or 4 years, people do not understand fully what that means and how it affects them as individuals. But 3½ years from now for a family of four making a median income of \$62,000 or \$63,000, what percentage of this Federal tax will go up if we don't act to make these tax cuts permanent? Usually, when I ask a crowd of people if the Bush tax cuts are not made permanent, if the Senate doesn't act for whatever reason, or it is obstructed from acting, they say, Maybe my taxes will go up 10 percent or 20 percent, or 30 percent. Not many people say 30 percent. But the fact is, if we don't act in this Senate to make those tax cuts permanent, for a family of four, their Federal taxes will go up, 3½ years from now, 58 percent. And now people say: I see the importance of what you are doing in Washington, DC, why you are following President Bush in terms of his tremendous leadership in cutting taxes, keeping taxes low, and working hard to make those tax cuts permanent. Then it comes together.

We are looking at a tax extender package, and we are also looking at what my colleagues feel strongly about—a permanent solution to the death tax.

First of all, the death tax does not make sense. It is not fair. It discourages savings and discourages thrift. Therefore, we need to have a permanent solution. I say bury it forever, but the will of the Senate is not to bury it forever and eliminate it totally. Therefore, we are working with what is a very reasonable compromise position. So there is a lot of discussion on that underway.

What we have is crazy. We have a death tax. It used to be high and is coming down. In 2010 it disappears, and in 2011 it goes back up to 55 percent. Talk about things that do not make sense, that does not make sense. We need to fix that. I hope we can do that in the next 6 to 8 weeks.

One last thing I comment on because there has been huge progress today in the House of Representatives which al-

lows us to move forward on an issue that will affect just about everyone listening to me now, an issue we have acted on with meaningful solutions to a real problem, is health information technology. The House today passed a health information technology bill. We have passed one in the past. Now we can marry those two in conference. And we will save lives.

Medicines cure, but medicines can also kill. Last week, the National Academy Institute of Medicine, which we all respect, we all look to, which looks at things very objectively—the committees they put together are experienced, have broad expertise, and take current issues that are challenging and address them in an environment that is very constructive. They released the most extensive report ever done on drug or medication, medicine errors, mistakes that are made, whether they are inadvertent or mistakes just made. The report is fascinating.

Why do I say it affects everyone? Right now, four out of five American adults today—so in all likelihood, everyone listening to me—take one medicine, at least one medicine over the counter or a prescription. One out of three adults listening to me now take five medicines. That is amazing. Being a physician, it wasn't true 10 years ago, it wasn't true 20 years ago. When my dad began to practice medicine 70 years ago, no one would believe the power we have in medicines today—the power to cure but, if misused or mishandled, the power to kill.

This report just came out last week, and it is fascinating. The report addresses lots of things. I will come back and cite some of them. I will look at findings. How these medicines are administered, if not done correctly, with real care, can result in serious injury, hurt the patient, can cause death—all related to how they are administered, the dosage they are administered in.

Before coming to the Senate, I spent 18 years in hospitals, always 5 days a week and 95 percent of the time 6 days a week, working in hospitals, taking care of people. There you see it all. You see doctors inadvertently writing prescriptions for drugs that interact and are not compatible with certain drugs. Maybe they didn't know the patient was on that particular drug or they just didn't know there would be an interaction of the two drugs, and it hurts the patients. Nurses or health care providers mistakenly put the wrong medication in the IV bag, the intravenous bag that runs into your hand, or administer the wrong blood type. A pharmacist might dispense a 100-milligram pill instead of a 50-milligram pill. These errors are wasteful, obviously, but can also be harmful and can be deadly.

The Institutes of Medicine found that at least 1.5 million Americans are sickened, injured, or killed each year by errors in either processing, dispensing, or taking medications. These errors are widespread. The IOM report

found on average a hospital patient is subjected to one medication error every day they are in the hospital. That is pretty amazing. A hospital patient is subjected to one medication error each day he or she occupies a hospital bed.

That is costly. Not only does it occur, and it occurs frequently, it costs a lot. The IOM report estimates the extra expense of treating drug-related injuries in hospitals alone is \$3.5 billion a year.

The report—again, it just came out last week—is the most comprehensive report today. It sends a very clear signal; that is, we need to act.

The good news is that we have acted with a first step in this Senate, and as I mentioned earlier the House acted today, which means together we can produce a bill, and have the President sign it, which will make a difference.

The IOM report offered several recommendations to prevent these errors. In many ways, the recommendations they put forward reinforce my vision or a vision I believe is very important as to where we need to be in health care in the future. We have to start today in that direction. That is what the recommendations do.

That vision is really pretty simple. It is a vision of a health care system that is not centered on HMOs, bureaucrats, Washington, or hospitals or clinics. It is centered on the patient. The patient is in the middle of the system.

In this system also is the importance of having the driving force of the consumer. You have the patient, and it is driven by decisions being made by consumers all over the country.

The third component is that it needs to be provider friendly. You need physicians participating, nurse practitioners participating, nurses and other health care providers, technicians, the people who draw the blood, and the lab technicians all participating in a way that there is a comfortable exchange of both information services as well as trust. So it is a patient-centered, consumer-driven, provider-friendly system.

Now, the engine to that system has got to be value, has got to be outcome, has got to be results. When I say "value," I really mean almost in simple terms of the product, the outcome, in terms of value, divided by how many dollars you put in. So you want as much health produced per dollar injected into the system. That has to be the engine of this system, and it has to be fueled by three things.

That is where the exciting part comes in. That is where this health information technology plays such an important role. It has to be driven by information, 21st-century information that simply was not around the last century. It really was not around when I was doing heart transplants every week 10 years ago, 12 years ago. You just didn't have that sort of information generated. It was the knowledge revolution, the explosion of information, computers, the Internet. That knowledge is out there today.

The second fuel has to be choice. You have to have people out there making prudent decisions for themselves each and every day. Obviously, that is very consistent with my principles as a Republican in terms of maximizing choice. The 21st-century information, with empowerment of the consumer by choice, and third, some element of control.

The control really comes in if people have to have resources to make those decisions or, if not, need to be assisted. You have to have a strong safety net for a patient-centered, consumer-driven, provider-friendly system based on values, driven by information and choice and technology. You have to have a seamless flow of information which is privacy-protected and which is secure.

No single piece of legislation incorporates all of that, and no single piece of legislation incorporates all the IOM recommendations. But there are things we can do to move in the direction toward that vision.

I have sponsored bills in this Senate and urged industry-wide changes that made considerable progress that caused us to move toward achieving that.

Last summer, on this floor, I publicly called on the pharmaceutical companies to implement a voluntary 2-year restriction on direct-to-consumer advertising for newly released drugs. What is direct-to-consumer advertising? It is what you see on television each night or over the course of today in terms of the drug ads, in magazines. It is the full-blown pictures you see every day—newspaper ads—where the advertising is directly to the consumer, to the individual, to the patient.

What I called upon the pharmaceutical companies to do is to review their procedures and on a voluntary basis give a 2-year restriction on direct-to-consumer advertising for lots of reasons. I will come back do that.

I also publicly asked the GAO, the Government Accountability Office, to analyze the Food and Drug Administration oversight of such advertising. Are we doing enough to make sure that information which comes out to the consumer is filtered appropriately, to make sure it is accurate, that it is honest, that it shows the pluses but also shows the dangers and the weaknesses as well?

Spending on direct-to-consumer advertising and prescription drugs was steady over the years. In recent years, it has skyrocketed. Why? Because you put advertisements out there and people buy the drugs. The problem is, and the reason I brought it up in the Senate and made this public call, this advertising can lead to inappropriate use of drugs using too many of these drugs, using them for the wrong indications, overuse and underuse of the drugs. It could be an underselling of the risks that are actually in a drug. You see all the good things and the beautiful pictures and people running through fields, but at the same time you really

do not see the dangers, the side effects that could be harmful, that could compromise your safety, the patient's safety and care.

The good news, based on that call, at least in part, is the pharmaceutical industry responded and I would say responded fairly aggressively. They soon after issued a set of guidelines for prescription drug advertising on newly released drugs. They got together and talked about the importance of their responsibility in this direct-to-consumer advertising, the fact that it is not just to improve their bottom line but it is health care, it is patient-centered, that you have to have the strengths but you have to give weaknesses of these drugs when you put them forward. So I applaud them. And that response is making a difference. That is one example. That is sort of a first step in guaranteeing patient safety and care.

I mentioned the GAO report. It has not come back yet. I look forward to receiving their findings, their results on the FDA's oversight, to come soon.

Other progress: Last summer, we passed the Patient Safety and Quality Improvement Act. It became law July 29, exactly a year ago, 2005. It also contributed to this patient-centered system which is consumer driven. It helps improve the quality and gets rid of the waste. When I say value, that is results, as I said, per dollar of input. You want to maximize that. So you want to get rid of the waste. You want to get rid of the abuse. You want to get rid of inefficiency. And we did a lot in that regard.

What this Patient Safety and Quality Improvement Act did was to help both improve quality and weed out waste by minimizing the fear of litigation. Now, why does that matter? It really comes down to—and I oversimplified it a little bit, but if you are a physician or you are a nurse and you are in a hospital and you make a mistake, and you feel bad about it, you should be able to share that information with other people so they can learn from your mistakes.

Quality improvement: We see it in airlines. We see it in general aviation. But we do not see it in health care—or we didn't before passing this particular bill. What we have been able to do in that particular bill is basically ease—without fear of a lawsuit coming after you. The reason it is not shared is because you know some greedy, predatory trial lawyer is out there and saying: Oh, there is a mistake. Let's go after them. What it does is put a barrier up there so no longer does that individual practitioner, doctor, or nurse have to have the fear of sharing information of an inadvertent mistake so others can learn.

The IOM report's most striking finding was that many providers do fail to report these medication errors that ultimately don't result in an injury. They fear these lawsuits. But without reporting this information, clearly, we

cannot learn from our mistakes. That is what the Patient Safety and Quality Improvement Act addressed.

That brings me, finally, to information technology. The Senate passed a health information technology bill. It was bipartisan. I thank Senators KENNEDY and ENZI and CLINTON, all of whom worked with me and all of our colleagues in producing this bill—a bill called the Wired for Health Care Quality Act. What it does is it promotes the use of electronic medical records. It jump-starts America's transition to this 21st century system based on choice and based on value and based on outcomes by having a seamless network that is fully interoperable in terms of the transmission of health information, so doctor can communicate with hospital, can communicate with pharmacy, can communicate with patient in a seamless way, where records can be stored electronically. They can be transmitted electronically. If you are in Nashville, TN, and you live in Princeton, NJ, and you have an automobile accident as you are on I-41 through Nashville and you are taken to Vanderbilt Hospital, they can push a button, and in a secure, privacy-protected way, your record instantaneously shows up at the Vanderbilt emergency room and they can see what allergies you have, what medicines you have, whether you had previous heart disease, whether you can tolerate anesthesia—instantaneously; otherwise, they would have to repeat all those tests. They might not even be able to get that information.

That is the power. What it does is it builds a platform for the interoperable transfer of information—interoperability standards—that has the ability to transform the practice of medicine. That is how big these bills potentially are.

Doctors write about 2 billion prescriptions each year. We still write them, for the most part, by hand. And that spelling, what you look at, unfortunately, is misinterpreted. And as the IOM report documents, a lot of errors are still being made in that transmission of reading what a doctor had written at the pharmacy or at wherever the hospital might be distributing those drugs and then delivering it to the nurse and having the nurse give it to the patient. You get rid of all that—not all of it but most of it—by having that seamless flow of electronic information.

I think back to transplantation. I would have a patient. I would transplant the heart in Nashville and take care of them and have them on a drug called cyclosporine. And they would go back home, maybe 2 or 3 hours away, where another doctor would take care of them. If they got a cold, the local family doctor might put them on erythromycin, not knowing—because transplants were so new at the time—that if you put somebody on cyclosporine on erythromycin, their liver would fail. But it happened. They

may not know that cyclosporine was there. Well, with the electronic transfer of information, that physician would know that patient is on cyclosporine, and it would be instantaneous and immediate. If he wanted to put a patient on erythromycin and tried to prescribe it, a red flag would come up and say: No, you can't do that because the patient is on cyclosporine.

All this makes so much sense. Medical records today are stuck in the stone age. But every other sector of our economy has information presented in what is the information age. It is now time to bring medicine—it is amazing that medicine is still stuck in the stone age—into this information age.

I will close on all this, but, as you can see, I am very excited about it. This particular bill which we passed and which will be married with the House bill helps fix all of that. It is going to go a long way to addressing the concerns that were in this IOM report last week.

Electronic medical records will improve health care. They will promote the secure exchange of privacy-protected information, and they will seamlessly integrate quality standards with information technology, all of which means to say better care, lower costs, greater accessibility, the elimination of waste, elimination of inefficiency as well as the medical errors themselves.

So the House has moved. We have moved. Now it is time to get to conference as soon as we possibly can. And if we do that, we will move our system toward that vision of the patient-centered system which is driven by consumers and 21st century information. It will save lives.

UNANIMOUS-CONSENT REQUEST— H.R. 5683

Mr. SESSIONS. Madam President, I recently introduced a bill to preserve the cross that stands at the center of the Mt. Soledad Veterans Memorial in San Diego, CA, that is under attack by the ACLU to remove the cross. This bill would preserve that cross by having the U.S. Government purchase the property, as it stands, from the city of San Diego. This acquisition is the action that the U.S. Department of Justice tells us is needed to preserve this cross as a part of a memorial that has secular monuments also.

Congressman DUNCAN HUNTER has led the effort in the House. He is a San Diego Representative, chairman of the Armed Services Committee in the House. It passed 349 to 74 in the House. So we are trying to pass that in the Senate. It was called up for clearance by unanimous consent recently—I believe last night—and there was an objection from the Democratic side.

It is time for us to move forward. I don't think there will be overwhelming opposition to it, as there was not in the House of Representatives.

Therefore, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5683, the House bill, which was received from the House. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. NELSON of Florida. I object. It has not been cleared.

The PRESIDING OFFICER. Objection is heard.

Mr. SESSIONS. Madam President, I understand that. I know the Senator from Florida is a strong advocate of veterans. I am sure this represents an objection from the Democratic side somewhere else. I am urging my colleagues to look at this legislation. It is a time-sensitive matter because they have been sued. A Federal judge has ordered that, under California law, a \$5,000 fine be imposed daily for failure to take this down, a symbol that has been up in the Mt. Soledad area for 54 years. Justice Kennedy of the U.S. Supreme Court has stayed that penalty to give us a chance to do something like this. I believe it is the right thing to do, and I want to share a few comments about it.

In 1954, this 29-foot cross was erected by the Mt. Soledad Memorial Association to honor veterans of World War I, World War II, and the Korean war. It has stood on Mt. Soledad in San Diego, CA. The memorial now serves to honor American veterans of all wars, not just veterans of World War I, World War II, and Korea.

Since 2000, the memorial association has added significant improvements to the property. The cross is surrounded by six granite walls. They are covered with over 1,600 plaques honoring individual veterans, with surrounding small pillars and brick pavers honoring veterans groups and supporters of the memorial, and community groups. A flagpole proudly flies the American flag.

It is very important that we as a nation understand that we are free today and have the liberties we have because people have sacrificed. Our Nation is still able—although some apparently around the world may not be—to call on its people to sacrifice for a common national good, and all over America veterans groups and community action groups have created memorials since the beginning of the Republic to honor those who place their lives at risk for the liberty we are so happy to have today.

It was not until 1989 that any person challenged the legality of this monument. At that time, Philip Paulson, a San Diego resident, sued the city, claiming that the cross display was unconstitutional and violated his civil rights.

In 1991, a Federal judge agreed with him and prohibited the display of the

cross on city property as a violation of the California Constitution, which guarantees the “free exercise and enjoyment of religion without discrimination or preference.” That is different from the language we have in the U.S. Constitution. So the city attempted to meet the court's demand and protect the integrity of the memorial by selling or donating the property to a private party. But Mr. Paulson challenged every potential transfer of the property to a private party, revealing that his true objection was not to the city's ownership of the display but to the cross itself—something he personally did not like.

In 1992, 76 percent of the people of San Diego, CA, showed their support for keeping the cross at the Mount Soledad Veterans Memorial by voting to support “Proposition F” to authorize the city to transfer the property to a private nonprofit organization, so it would not implicate public matters. What is wrong with that?

After Proposition F passed, the memorial association did successfully bid for the property. It chose to keep the cross up but also made \$1 million worth of significant improvements to the memorial, including the granite walls, plaques, pavers, flagpole, and American flag. Even after the improvements were completed, Mr. Paulson was still challenging the sale.

In 2002, the Ninth Circuit Court of Appeals on the west coast—considered the most activist circuit of all in the country and the most reversed by the U.S. Supreme Court—found that the method of the sale violated the “no aid to religion clause” of the California State constitution. They transferred it to a private, nonprofit, nonreligious organization, but they said this aided religion.

I believe this is something on which we can all agree. I know the Senators from California, Senators FEINSTEIN and BOXER, have indicated they believe this memorial should remain. I think we will be able to work through these difficulties and get this legislation passed.

Mr. President, following up on the Mount Soledad Memorial legislation to deal with the court ruling that has imposed a \$5,000 fine per day on the city of San Diego, a ruling stayed by Justice Kennedy on the U.S. Supreme Court, that ruling deals with the cross that was maintained by the Mt. Soledad Memorial Association on property originally owned by the city of San Diego. Some 35 years after it was placed there, someone objected, and the city sold the property to the memorial association, putting it in the hands of a nongovernmental, private entity.

As a result of that action, a lawsuit was commenced anyway and still said it was improper, and the court reached a ruling that was sort of breathtaking and said they still couldn't do it. I would note that in 1992, 76 percent of the people in San Diego voted to support keeping the cross there, and voted

in support of Proposition F to transfer the property to a private organization. But still they didn't stop, and we have continued to see the litigation go on and on. Some of it arises from the case law and the very strong constitutional provisions unique to California.

In 2002, the Ninth Circuit had a ruling on it, and this is what they ruled: that the "no aid to religion" clause of the California Constitution prohibited California from transferring this property to a private association because any buyer who did not desire to keep the cross that was there would be required to pay for its removal, whereas an entity who wanted to buy and did not want to take the cross down would not have any expense; therefore, this aided religion. Now, that is the theory of it. I think that is not a sound analysis.

The Ninth Circuit is the most activist circuit in the country and we continue to have problems with them. They are reversed by the U.S. Supreme Court more often than any other circuit. Some years they have been reversed more often than all of the other circuits combined. One year it was 26 out of 27 cases the Supreme Court considered, they reversed. So that is what causes this problem.

A plan has been devised. Congressman HUNTER, who represents San Diego, and Congressman BRIAN BILBRAY, who represents the Mt. Soledad district, have worked hard to prepare legislation that would transfer it to the Federal Government, because this wouldn't be unconstitutional under Federal law. It passed in the House by an overwhelming vote of 349 to 74. We want to see that pass here. It has been called up and cleared on the Republican side of the aisle, and it is now being objected to by some on the Democratic side. So I would ask my colleagues on the Democratic side to work through this thing and see if we can get it passed. It would allow the veterans to be able to continue to have the memorial on Federal property that has been in place for 54 years. It does not establish a religion. On Federal property, it is consistent with the wishes of those veterans and their families for over a half a century.

I would note we have Democratic support for this concept. I notice that in one of the news articles from the Copley News Service here, Senator BARBARA BOXER, a California Senator, and one of the other Democratic Members, said:

[T]he monument is a historic memorial to our veterans and should be allowed to stay.

Senator DIANNE FEINSTEIN, the other Senator from California, has said:

[B]ecause of the history and significance of this monument to so many veterans and San Diegans, it should be preserved.

So the Congressmen there, the people of San Diego, and the Senators from California are in favor of this. It is as a result of this complex history and the obsession by the courts, it appears, to just eliminate any reference, any ex-

pression of religion whatsoever from the public square, even if it is not consistent with the U.S. Constitution, in my view.

I believe this legislation is important and should be passed. We can make this happen. I ask my colleagues to review it. I will plan to come back and deal with it some more if we cannot get it cleared. We need to have a vote on it, if it cannot be cleared voluntarily. I hope we can avoid that.

Mr. President, I note there are other Senators here wishing to speak. We are on the drilling offshore bill in the gulf, and that is a very important piece of legislation.

I, again, note I have asked this morning that this be cleared. We have another objection. We will continue to persist with this until we get everybody's attention and maybe they can review it and see fit to clear it. I think they will. If not, I will be asking the leader to invoke cloture on the legislation.

I further add, Senator MCCAIN has also offered legislation similar to mine. It would do the same thing. But the bill we are asking clearance on is the bill that came from the House, H.R. 5683.

I yield the floor.

MOUNT SOLEDAD CROSS

Mr. MCCAIN. Mr. President, I would like to express my strong support for passage of H.R. 5683, legislation passed by the House last week to preserve the Mount Soledad Veterans Memorial in Diego, CA. I want to associate myself with the comments made by my colleague, Senator SESSIONS. He and I both have introduced legislation similar to H.R. 5683 and I am pleased that Senator GRAHAM also has joined us in advocating a legislative solution to this important matter.

Since 1913, a series of crosses have stood on top of Mount Soledad, property owned by the city of San Diego. In April of 1954, the site was designated to commemorate the sacrifices made by members of the armed forces who served in World War II, as well as the Korean war.

In 1989, one individual filed suit against the city claiming that the display of the cross by the city was unconstitutional and, therefore, violated his civil rights. In 1991, a Federal judge issued an injunction prohibiting the permanent display of the cross on city property. Since that time, the city has repeatedly tried to divest itself of the property through sale or donation. But the plaintiff continued to mount legal challenges to every attempted property transfer. The legal wrangling over this memorial continues today.

The Mount Soledad Memorial is a remarkably popular landmark. In fact, I had the pleasure of visiting the Memorial during the Fourth of July recess and can personally attest to the profound impression it can leave on its visitors.

It is also of great importance to the local community. On two different occasions, the voters of San Diego have overwhelming passed ballot measures designed to transfer the property to entities which could maintain the cross. Given the many years of legal disputes regarding this memorial, I believe it is past time that this issue be resolved.

The bill that we are seeking to pass would bring the Mount Soledad cross under the control of the Federal Government, and specifically, the Department of Defense and would allow for the just compensation for the property in question. It also would address the required maintenance for the memorial and the surrounding property through a memorandum of understanding between the Secretary of Defense and the Mount Soledad Memorial Association. The minimal financial commitment required in this legislation will ensure the endurance of this memorial which serves as a reminder of the hundreds of thousands of men and women who made enormous sacrifices when our country called upon them.

I understand the bill has cleared on our side, and that we are awaiting for the other side to allow its approval. I can only hope that all of my colleagues will join us in supporting this legislation, and ensure the preservation of an important tribute to our men and women of the Armed Forces.

THE WAR IN IRAQ

Mr. BYRD. Mr. President, yesterday the Prime Minister of Iraq addressed a joint meeting of Congress. In his speech, he stressed his view that great progress has been made in his country in the past months and equated the violence in Iraq to the al-Qaida attacks on the United States on September 11, 2001. With the Prime Minister's comments in mind, it is worth taking stock of how this war began 3 years, 4 months, and 1 week ago. Let me say that again. It is worth taking stock of how this war began 3 years, 4 months, and 1 week ago.

The war in Iraq, that is what I am talking about. The war in Iraq. There is a war going on there, and we are involved in it. Our men and women are over there in harm's way. They die every day. The war in Iraq was initiated on the false promise of securing our country from the threat of weapons of mass destruction. That was a false promise. There have been many efforts to try to rewrite history. You can't do it. But there have been efforts to try to rewrite history and to try to find a new justification for the invasion of Iraq. But one need look no further than the use of force authorization passed by the Congress—when? On October 11, 2002. Look at that use of force resolution.

That resolution contains 23 "whereas" clauses. You can count them. Ten of those "whereas" clauses pertained to Iraq's efforts to develop weapons of mass destruction. The idea that Iraq

could threaten our country with weapons of mass destruction was the key-stone of the argument for war. It was the one allegation at the center of nearly all the cases that were made for war.

I didn't fall for that. I didn't fall for that reason because I didn't believe it was there. I didn't believe that Iraq was a threat to the security of this country. I didn't believe it. I had reasons for not believing it, and I have said them many times.

The agencies that produced the intelligence to build the case for war have admitted that they made massive errors. Intelligence was massaged. Did you get that? Intelligence was massaged to remove most of the dissenting views. Dissenting views were not listened to very well. Congress, in 2004, even rushed to reorganize the CIA and the rest of our intelligence agencies based upon these massive failures—failures that built a flawed and discredited case for U.S. entry into that war.

I did not buy into the hype and the rush to war. I didn't buy into that. I didn't buy into that case. I didn't believe we had that case for war. I did not believe Iraq posed an imminent threat to the security of this country. I did not believe it. I said so. And therefore I voted against turning this whole thing—lock, stock, and barrel—over to one man, the President of the United States. Congress relegated itself to the sidelines, and it has never gotten itself off the sidelines, really. We are still there.

I did not believe Congress should have passed the resolution to allow the President—any President, not just this President, any President—to decide where, when, and why to launch an attack on Iraq. I did not believe then, I do not believe now, that one man, Democratic or Republican, or one woman, acting as the chief executive of our country, should be handed the authority to decide on his own to shed the precious blood of our sons and daughters, husbands and wives—to shed their blood.

The American people at this point should pause and reflect now on where our Nation stands in this war. Where does our Nation stand in this war in Iraq? As of today, July 27, 2,564—2,564—American men and women have been killed—dead. Upwards of \$318 billion—that is a lot of money—upwards of \$318 billion has been drained from our Treasury. Talk persists of more than 100,000 of our troops remaining in Iraq for many years to come—many years to come. Most ominously, the violence in Iraq appears to have entered a new phase. Mr. President, 2½ months after the killing of the terrorist leader Zarqawi, an average of 100 Iraqis are being killed every day, according to a new report by the United Nations.

Who is responsible for this violence in Iraq? Is it Osama bin Laden or some other nefarious outside force? Is it the same terrorists who plotted the attack on the World Trade Center? Is it the

same miscreants responsible for the train bombings in London and Madrid? The answer is no. This wave of violence which has crashed over Iraq is the result of Iraqis fighting and killing Iraqis. Militias and death squads are carrying out a brutal campaign of violence against fellow Iraqis. Shiites are fighting Sunnis. Sunnis are killing Shiites. The Kurds of the north are under attack. No one is safe from these indiscriminate killings—not doctors, not teachers, not even children. Iraq is being ripped apart from the inside out.

Could there be any doubt that there is a civil war in Iraq? Statistics gathered by the Iraqi Government: 2,669 Iraqi civilians were killed in May; another 3,149 Iraqi civilians were killed in June. Government figures show that 14,338 civilians were killed in Iraq in the first 6 months of this year. At least 100,000 Iraqis are refugees in their own country. Yes, there is a civil war going on in Iraq. It is a civil war that has been brewing, brewing, brewing since we first opened this Pandora's box by invading Iraq in March of 2003.

I didn't vote for that invasion.

The question is, What are our troops doing in the middle of this civil war? What are American troops doing in the middle of this civil war? The American people should take notice of what is happening in Iraq. The American people—it is their sons and daughters, yes. Our troops are increasingly being thrust into this fighting with no plan for success. It is time to stop, look, and listen, and time to ask questions about where we are headed. Are our troops on the way out of Iraq or are they on their way in? Are they being drawn deeper into this civil war? Is there any chance for our troops to win a decisive victory on the battlefield or is the fate of our soldiers tied to the political fortunes of untested Iraqi politicians? Does anyone in this administration have a plan for how to deal with this civil war which is going on in Iraq?

These are not inconsequential questions. These are important questions. These are important questions for the people of our country. But instead of telling the American people how we are going to disentangle ourselves from the sectarian violence in Iraq, we learn this week that the President plans to send more American troops into Baghdad to take sides in the Iraqi-on-Iraqi fighting that is tearing that country apart. The President announced on Tuesday—yes, he did—that he is sending thousands more U.S. troops into Baghdad, which is the center of the storm of violence.

So I say to the people out there watching through those electronic lenses, is this our plan? Is this our plan for dealing with an Iraqi civil war? When I asked Secretary Rumsfeld at an Appropriations Committee hearing on March 9 about his plan if civil war were to break out in Iraq, he said, "The plan is to prevent a civil war, and to the extent one were to occur, to have the . . . Iraqi security forces deal with it, to the extent they are able to."

Those are quotations. You can look at the Appropriations Committee hearings and find these words for yourselves.

The plan to have Iraqis deal with their own civil war appears to be on its way out the window. The Iraqi Prime Minister's attempts to pacify Baghdad with Iraqi troops has failed. In fact, the Prime Minister, in his speech to Congress, pleaded for more foreign aid and urged our troops to stay until Iraqis are ready to take up the fight to defend their Government.

Sending more U.S. troops to deal with domestic strife is not the right course. What we are seeing in Iraq is mission creep, mission creep, creep, creep, creep of the worst kind. The mission to overthrow Saddam Hussein is transforming before our very eyes into a mission to take sides between warring ethnic factions. This is a plan for disaster.

Our troops have bravely served in Iraq for more than 3 years. They have done everything that has been asked of them. Our troops did not ask to be sent to war, but the call to service has gone out and our servicemembers have responded. They have fought, they have been wounded, they have bled, and they have died for what our country has asked them to do. But we owe it to our troops to be judicious in what we ask them to do. We owe it to our troops not to send them headlong into fighting when there is no plan for victory. We owe it to our troops not to send them into the center of a civil war without raising so much as a question, without raising so much as a question about whether they belong there.

We cannot allow the escalating war in Lebanon to distract us from the deteriorating situation in Iraq. Look at what is going on. Open your eyes. The fighting between Israel and Lebanon has dominated our attention, but the administration is on the verge of making irreversible decisions about how deeply our troops will be involved in Iraq's civil war.

Before more of our troops are sent to Baghdad, the Senate must ask tough questions of Secretary Rumsfeld and our military commanders about whether they have a plan for dealing with the civil war in Iraq. The Armed Services Committee on which I serve must have a chance to exercise its oversight responsibilities before more of our troops are ordered to take sides in a fight that is pitting Iraqi against Iraqi. We have seen before the disastrous consequences of ordering our troops into the middle of civil wars. Do we remember the 241 marines who were killed in Beirut in 1983? Do we remember that? Let us remember the bloody battle in Somalia in 1993.

Let us have more wisdom, more caution, and a coherent strategy before we marshal our forces to send them once more into the breach in Baghdad. We owe that much to our brave troops. We owe that much to their moms and their dads, their wives and their children

anxiously awaiting their safe return home.

I yield the floor.

DISCRIMINATION ON THE INTERNET

Mr. WYDEN. Mr. President, several weeks ago I came to the Senate to announce I will do everything in my power to block this Senate from considering the major overhaul of the telecommunications legislation until that legislation includes specific provisions to ensure that there is no discrimination on the Internet. A discrimination-free Internet essentially is what the net neutrality debate is all about.

Certainly colleagues have been hearing a great deal about this subject as those who oppose net neutrality have spent millions and millions of dollars trying to convince the American people and the Congress that somehow discrimination on the net is a good thing. They have made a big point of trying to say that net neutrality is a very complicated issue, it is one involving technical issues of communications law, and it ought to be something left to lawyers and lobbyists to sort out in Washington, DC.

That is not good enough for me and I don't think it is good enough for the American people. In fact, more than 500 organizations with views all across the political spectrum have come together to support net neutrality and a discrimination-free Internet.

This is the fourth time I have come to the Senate to outline examples of what will happen if discrimination is allowed on the Internet and also to respond to some of the most directly asked questions about what net neutrality is all about.

Today I begin my discussion with a new development just reported by the Reuters News Service. Reuters News Service reported this week that the profits of the AT&T company were up by 35 percent, bolstered "by strong growth in wireless and high speed Internet services."

I am of the view this is excellent news. I want to see American companies be profitable. I believe in markets. I believe in wealth creation. When our companies do well, of course, they pay taxes. They pay taxes to the American Government and that can be used for health care, education, and other services our citizens have such a great interest in. It is free enterprise that makes markets work.

When Reuters reports that AT&T has made a 35-percent profit primarily due to wireless and high-speed Internet services, the digital part of the economy, that is good news.

However, there are other implications with respect to the news this week about AT&T profits. It seems to me what the news highlights this week is that AT&T can make money with an Internet that is discrimination free. They have been arguing, as part of the discussion involving telecommuni-

cations, that somehow it will not be possible for them to make the profits that are necessary for broadband and sophisticated communication services to get to all the people of this country.

The news this week shows that AT&T and other companies can be profitable with an Internet that is discrimination free. They do not need to throw net neutrality into the trash can in order to do well. The events of this past week have proved that AT&T does not need to discriminate in order to make money.

To continue with the discussion I have begun over the last few weeks, I also want to go to the question of "won't consumers just get their broadband from companies that do not discriminate on the net if somehow we don't have net neutrality." This is an excellent question. The answer is simple. If there were a competitive market for high-speed Internet services, the market would guarantee net neutrality. Consumers would insist that the Internet remain free of discrimination and they could take their business elsewhere if they didn't happen to approve of discrimination.

Unfortunately, there is not a competitive market today for high-speed Internet. Until there is, strong net neutrality protections are needed. What is the market for high-speed Internet? According to the Government Accountability Office, in 2005, about 30 million Americans had broadband service. However, most of these Americans have a choice of perhaps only two broadband providers, the local phone company and the local cable company.

Some may have only one provider. Others may have no options at all. No choice, limited choice, certainly is not my view of a competitive market. A choice between two is only one step beyond a monopoly. Most experts say at least four providers are needed in a market for it to be truly competitive. Today's market is still a long way away from the kind of competitive model we need to best serve our citizens with the communications services they deserve.

Many of my colleagues have stressed the possibilities of satellite, broadband over power line, or wireless as competitors to what is called DSL and cable. These offerings are not real competitors. Satellite high-speed Internet is too expensive for the consumer to be a real competitor with today's services. Both wireless and broadband over power line are new technologies, and we all hope that someday they are going to develop into competitive options to the phone and cable company offerings. They ought to be encouraged. However, they are still new, and until they become widespread and priced at a competitive level with cable, for example, the market for high-speed Internet will remain limited or will remain a duopoly.

A second question I am often asked is: As a small business, what does all this Net neutrality stuff mean to me?

Last week, I came to the Senate floor and explained what it means for consumers. Small businesses, of course, are just one type of consumer in the market. And no Net neutrality is going to mean the same thing for the millions of small businesses that it means for consumers: a double-barreled discrimination with less choice and a higher price. Small businesses also have a second concern: They use the Net not just as a consumer but also as a market for their business. They have Web sites. Small businesses across the country use the Net to market their products. Through Web sites such as NexTag and Yahoo Shopping, small retail shops are able to reach millions and millions of homes that they could not otherwise access. A bed and breakfast, say, in central Oregon, in Bend, OR, is able to market itself on the Net and compete with a Holiday Inn. For the small businesses, the prospect of a two-tiered discriminatory Internet, where they will have to pay priority access fees to network operators, is daunting.

For a small business, the fees that the large Bells and cable companies would charge could have a chilling effect on their ability to do business online. While large businesses can afford to take on these additional costs with only a small hit to their overall profitability, many small businesses are not going to be able to pay these extra fees. This would mean they would either get stuck on the Internet slow lane or have to mark up their prices more than big businesses. Either way, without an Internet free of discrimination, these small businesses are going to be at a competitive disadvantage.

In my previous discussions on the floor, in addition to trying to respond to some of the major questions people are asking about Net neutrality, I have tried to bring out several specific examples of the kind of discrimination that would be allowed under the bill that was passed by the Senate Commerce Committee recently. So today I want to outline two additional examples of what could happen to our small businesses if legislation allowing discrimination on the Net were allowed to move forward.

Let's say, for the purpose of the first example, we have a family known as the Taylors. The Taylors own an inn on the Oregon coastline. Occupancy has been lower lately because a large new national chain hotel opened up down the road. George Taylor's son Mike comes up with an idea to save the inn by reaching out to new customers: They ought to start a Web site to market their inn and take reservations online.

In a world with Net neutrality, the Taylor family, with that small inn, would pay to access the Net, create a Web page, and they would be off to the races, up and running, marketing their business. Under the Commerce Committee bill, in order to launch their Web page in the fast lane so they could

get priority access to customers across the country and around the world, that small business would have to pay an additional fee to hundreds, if not thousands, of Internet access providers around the country. The priority access fees are a drop in the bucket to that big national chain of hotels that is hurting their business, but if the Taylor family cannot pay the extra fees, they are not going to be able to compete.

A second example of how the absence of Net neutrality would hurt small business—this one involves a business owner who I am calling Jessica Myers. Ms. Myers owns a small legal placement firm with eight employees. In a world with Net neutrality, she saves money on her phone bills as a Vonage customer. She buys all her office supplies on line from another small business she found at Shopzilla, and saved thousands of dollars on new computer equipment from Buy.com. Her employees are able to navigate law firm Web pages, learning of open jobs and potential clients to market these openings to.

Under the Commerce Committee bill, Jessica's business is going to see a huge increase in her costs. Vonage no longer works properly, causing her to pay extra for phone service from the local phone company. The office supply store is no longer on line because they could not afford to pay for priority access and cannot compete without it. Her computer equipment at Buy.com is now more expensive, maybe 10 percent more, because Buy.com is passing on the costs they pay the network operators for priority access. Her employees are much less effective because they now spend hours every day waiting for law firm Web sites to load that are stuck in the Internet's slow lane. Her costs go up. Her productivity and her profits go down.

In each of these two new examples I have outlined of the consequences for our small businesses, the large businesses that own the Internet pipes are going to be extending their reach to the detriment of small business. According to the business plans of the big phone and cable companies, and what they have told Wall Street, what has been outlined in the Wall Street Journal newspaper, that is the direction they are heading. Without Net neutrality, neither of the small businesses in the examples I have cited is going to be able to use the Net in the way they do now, and they are going to be disadvantaged at a time when they are a big part of America's future in competing in the global marketplace.

The big cable and phone companies have spent millions—more than \$40 million since January of this year—to try to make the American people think that Net neutrality is, to quote one Verizon lobbyist, a “lose-lose proposition.” The absence of Net neutrality will be the lose-lose for consumers. Discrimination will be seen in Internet content, and we will see higher prices

for consumers. That is why more than 500 groups of all political philosophies and persuasions have come together to draw a line in the sand and say: We are going to insist that the Internet remain discrimination free.

At the end of the day, this issue of Net neutrality, despite what the opponents and the lobbyists want the Senate to think, isn't that complicated. Today, the way the Net works is you go with your browser where you want, when you want, and everybody is treated equally. Those who oppose Net neutrality want to change all that. They want to make it possible for phone companies and cable companies to play favorites. They will be in a position to charge some people more and some people less. They are people who want to change the way the Net works today, which is that everybody gets a fair shake.

And that is, again, the point of my citing this afternoon AT&T's profits that come from wireless services. I repeat, I am glad to see AT&T do well. I believe in markets, and markets are what make our country's free enterprise system go. But AT&T is doing well with an Internet that is based on the principle of equality, Net neutrality, and no American facing discrimination on line.

I see the distinguished Senator from Tennessee here, and he remembers our discussion about taxation and on-line services and on-line businesses. The Senate worked together on a bipartisan basis, and we have kept the Internet free of discrimination as it relates to taxation. I think it makes no sense at all for the Senate to say we are going to let the Internet prosper as it relates to taxation—and taxation is a big factor, obviously, in business opportunities and business sales—it makes no sense to keep the Internet free of discrimination as it relates to taxation and then to throw Net neutrality in the trash can and allow discrimination as it relates to so many other aspects of on-line business and services that are important to the American people.

So this is the fourth time I have come to the floor to discuss this issue. I do not want to see consumers face the double barrel of discrimination and higher prices on line. It is my intent to keep my hold on that overhaul of the telecommunications legislation on until I see that bill has been changed, until I see it has been altered and revised to ensure the core principle of the Internet—that everybody gets a fair shake and that the Internet is free of discrimination. My hold stays until that bill is altered so we can preserve an Internet free of discrimination for all Americans in the years ahead.

Mr. President, I yield the floor.

HONEST LEADERSHIP AND ACCOUNTABILITY CONTRACTING ACT OF 2006

Mr. DORGAN. Mr. President, this is a piece of legislation which we offered

previously during this Congress, unsuccessfully, I might add, that I and others intend to offer once again.

I want to describe it and describe why we intend to offer it again as we find additional legislation on the floor of the Senate with which to offer it as an amendment. It deals with accountability in contracting. The legislation we have introduced is called Honest Leadership and Accountability in Contracting Act of 2006. I introduced it on March 2, S. 2361. The bill is sponsored by 30 of my colleagues here in the Senate. Senator REID joined me in announcing the legislation that day. The bill includes contributions from a number of Members of the Senate and the work they did on issues relating to this which we have put in the bill.

I want to describe the bill briefly. It is a bill that will punish war profiteers with substantial penalties for profiteering during wartime contracts. It is a bill that will crack down on defense contract cheaters by restoring a rule on suspension and debarment, to say we are not satisfied any longer when we see someone cheating on a contract and cheating the American taxpayer to say, Well, you get a slap on the wrist and a pat on the back and a new contract. This gets tough. It cracks down on contract cheaters. It will force real contract competition, and it will do so by prohibiting the awarding of large monopoly, sole-source, no-bid contracts.

The legislation has a number of other provisions as well, but it is important legislation. I want to describe why, and I want to describe some of the things I have been doing.

Let me start by saying this is not about Democrats or Republicans. It is not about conservatives or liberals. Waste is not part of it. Waste is just waste. Contract abuse is not partisan. It is just abuse of the American taxpayer. Let me describe a couple of things to begin this discussion.

This is April 30, 2006, in the New York Times. The United States pays for 150 Iraqi clinics and manages to build 20.

A \$243 million program led by the United States Army Corps of Engineers to build 150 health clinics in Iraq has in some cases produced little more than empty shells of crumbling concrete and shattered bricks cemented together in uneven walls.

What is that about? It is about a huge contract, a contract to produce 150 health care clinics in Iraq, and now we see the money is gone, but the health care clinics weren't built—not 150 of them. Only 20 of them were built. Yet the money is gone. Let me talk about these issues and go back to the beginning of what piqued my interest.

In February of 2004, I began hearing from some whistleblowers who said: We want to tell our story. So as chairman of the Democratic Policy Committee, we convened some hearings and listened to them. We held eight oversight hearings on the issue of contracting abuses in Iraq and heard from whistleblowers. I will describe them.

We had two oversight hearings on the response to Hurricane Katrina, and I will describe just a bit of that. But let me describe this, going back to February of 2004, almost 2½ years ago. This is a description of what is happening in contracts in Iraq.

Henry Bunting is a fellow who came to see me. He worked in Kuwait. He worked for Kellogg, Brown and Root, which is a subsidiary of Halliburton. You might recall, they got big no-bid, sole-source contracts and made a lot of money. He worked as a field buyer in Kuwait.

He told us they spent up to \$7,500 a month to rent ordinary cars and trucks. Think of that. American taxpayers pay for that.

The company had purchased monogrammed towels for \$7.50 apiece when they could have cost \$2.50. These are hand towels for American soldiers. The company that was buying them told Henry: We want the company name embroidered on the towel.

That more than doubled the cost to the taxpayer. The company said: It doesn't matter, this is cost-plus; the American taxpayer is going to pick up the tab.

It is almost unbelievable.

Another thing Henry told us, 25 tons of nails, that is 50,000 pounds of nails, were ordered and delivered to Iraq. They were the wrong size. They are laying in the sand.

It doesn't matter. The American taxpayer is going to pick up the tab.

Henry came forward. I wonder what kind of courage it took for Henry to come forward and tell us that, but he did it and good for him. It piqued my interest, however, in February 2004, to hear whistleblowers talk about what was going on with respect to contracting in Iraq. Then, in subsequent stories we would hear about contracting abuses.

"Pentagon auditors found that Halliburton cannot properly document more than \$1.8 billion in work under its contracts," Army officials said yesterday. The \$1.8 billion amounts to about 42 percent of the \$4.3 billion the company has billed to the U.S. Government under the contracts.

Among other things, they were charging the U.S. Government for feeding 42,000 soldiers every day. It turns out they were only feeding 14,000 soldiers. I can understand missing a cheeseburger or two, but 28,000 meals? Overcharging by 28,000 meals a day? I don't think that is just missing a meal or two.

So we began having some hearings because the committees of jurisdiction, the authorizing committees where this money was spent, were not having oversight hearings.

We had a woman named Bunnatine Greenhouse come to Congress. I want to tell you what Bunnatine Greenhouse said. Bunnatine Greenhouse was the highest civilian official in the Corps of Engineers, the Army Corps of Engineers, in the Pentagon. She was the highest civilian official, highest rank-

ing procurement official in the Corps of Engineers. She was in charge of all procurement.

She had the courage to go public. Here is what she said:

I can unequivocally state that the abuse related to contracts awarded to KBR represents the most blatant and improper contract abuse I have witnessed during the course of my professional career.

Let me tell you about this woman. Every evaluation ever given her said she is outstanding, she is exceptional. Now she doesn't have her job any longer. She lost that job because she had the courage to speak out. They are investigating that now at the Pentagon. But that is what she said.

Instead of taking the company to task, instead of taking the folks in the Corps of Engineers to task, they took to task the woman who had the courage to come here and speak the truth.

Bunnatine Greenhouse has been replaced. I mentioned she was demoted. She lost her job. She has been replaced by an American who has no experience in procurement. Isn't that interesting? They bring in a person with 40 years government experience and no experience in procurement. They are actually sending her to school to learn about procurement.

I don't understand this. We have seen what happens when you bring in people without experience. We saw it in FEMA, filling top jobs with cronies who had no experience with disaster preparedness or relief, and it just collapsed.

Now we have the top civilian contracting official in Iraq who pays for it with her job when she speaks out. She says what is going on is wrong, and we don't have to take her word for it; just look at the headlines. It is wrong. She pays for it with her job, and she is replaced by someone who doesn't have experience in contracting. It just baffles me that somehow this is continuing.

I mentioned we have had a good many hearings. I have not preferred to have the hearings, but I have said if the authorization committee of jurisdiction isn't going to hold oversight hearings, and there are whistleblowers who want to speak, I am perfectly willing to hear them on behalf of the American taxpayers. The hearings have shown us just a dramatic amount of waste, fraud, and abuse. Much of it is being investigated.

The fellow working for the U.S. Department of Defense for 30 years who ran the fuel operation to get fuel to the soldiers wherever they are in the world retired. Then he came to us publicly, and he said: What the American taxpayer is being charged to fuel those army trucks in Iraq is unbelievable. They are being so overcharged.

This is from the guy who used to do it all over the world for 30 years.

We had a fellow named Rory show up at a hearing. Rory was a food service supervisor in Iraq. Rory actually testified by Internet. He was a food supervisor, worked for KBR, Halliburton.

He said: You know, we had all kinds of food that was transported in to feed the troops in Iraq. We had food brought in that had expired date stamps on it: This food is expired. Don't serve after this date. Our supervisor said it doesn't matter what the date stamp says, serve the food. Put the food on the table. It doesn't matter that it is expired. He said that was routine.

Second, he said he was told and others were told: Don't you dare talk to government investigators. When they come around, if you talk to a government investigator one of two things are going to happen. You are going to get fired or you are going to get sent to an area where there is significant hostile action.

This man named Rory talked to investigators, and guess where he ended up. He ended up in Fallujah, during hostilities. It is pretty unbelievable to me that we have contractors who tell employees don't dare talk to a government auditor if they show up.

Let me show a picture of some money. This is a picture of a transaction in the country of Iraq. This fellow came and wanted to testify. He was a fellow who was in Iraq, in this room.

This, by the way, is \$2 million in cash in one-hundred-dollar bills wrapped in Saran wrap. He is the fellow who dispensed the money, early on. He had all these contracts going on. This money went to a company called Custer Battles. We had a hearing on that as well. This \$2 million went to Custer Battles.

Two guys show up in Iraq with not much experience and very little money and they decide to get contracts. They get contracts. It is the Wild West. This guy says it is like the Wild West. They say: You bring a bag because we pay in cash. That is the way we operate.

Custer Battles gets a contract to provide security at the Baghdad airport. Among other things, it is alleged they took the forklifts, took them over to a warehouse, painted them blue, and then resold them to the Provisional Authority, which was Uncle Sam. But that is part of the story. They ended up getting \$100 million, and this is \$2 million of that. This fellow said we actually played football with these things. We pay in cash, bring a bag, it is like the old West. He said it was unbelievable.

Let me show what the Baghdad airport director of security said about the company that got this money. He said:

Custer Battles have shown themselves to be unresponsive, uncooperative, incompetent, deceitful, manipulative and war profiteers. Other than that, they are swell fellows.

This is from the director of security, in a memo to the U.S. Federal Government, then called the Coalition Provisional Authority. The Baghdad airport director of security, here is what he said about the people who were getting our money.

I look at all these things, and I ask the question: What is going on? How can they do this?

Just the other day, the Pentagon finally announced that we are going to now require some bidding on contracts—billions of dollars late. Let me show you what they said. “Army to end expansive, exclusive Halliburton deal.”

I am not just talking about Halliburton. It happens most of these press things are about Halliburton, KBR, but there are others—Custer Battles and others as well. Whenever you have this much money being thrown out there with no-bid contracts and sole-source contracts, I am telling you it is like a hog in a crick. All you hear is grunting, there is a lot of shoving, and everybody wants the money.

“Army to end expansive exclusive Halliburton deal,” It says:

Army is discontinuing a controversial multibillion dollar deal with oil services giant Halliburton to provide logistical support to U.S. troops worldwide, a decision that could cut deeply.

Understand, the Army says very late: OK, now we will start bidding. We will have several companies bid. And by the way, once the bidding is done, we will have another company oversee the company that gets the bid.

Oversight is the responsibility of the Pentagon. When they put out a contract, it is their responsibility to provide oversight. Our responsibility is to figure out what we are spending in Congress, who is spending it, with what efficiency, and if it is wasted, to call into account those who are wasting it.

Let me go back to the first chart that I showed today. This is yet another company. This company is Parsons.

A \$243 million program led by the United States Army Corps of Engineers, through a contractor, to build 150 health care clinics in Iraq and has in some cases produced little more than empty shells of crumbling concrete and shattered bricks cemented together into uneven walls.

We pay for 150 clinics and we get 20. The money is gone. The question is, Where did the money go and why? Who has it? What did we get for it? Is there accountability to the taxpayer for this sort of thing.

I understand in wartime money is spent in a way that is different, from time to time, than it is spent in peacetime. Sometimes you just have to spend extra money to get things done. But \$45 for a case of Coca-Cola; \$7,600 a month to rent vehicles? I don't think so. I mean, that is just the tiny little tip of the iceberg.

The question is, What comes of all of this? How do we stop all of this? How do we decide, on behalf of the American taxpayers, that this matters and we are not going to let this happen again? We have some people coming tomorrow who are going to talk about this contract, people who were in Iraq and watched this happen. We are going to evaluate what happened.

As has been the case in every circumstance, we will refer what we find to the Department of Defense and ask why.

We held a hearing on the subject of water. I know the Presiding Officer, in fact, in his subcommittee has taken a look at this and has asked some tough questions and is trying to figure out what was happening there.

We have never quite figured out what has happened because the contractor and the Defense Department each point fingers and say nothing happened. Then they say the other side made it happen.

About this water circumstance, we had people come to testify, saying: We were there.

Here is the report. The report says they were hooking up for nonpotable water—that water which is used by soldiers in Iraq to brush their teeth, to wash their faces, to take showers—they were hooking up hoses that had water that was more dangerous than water that came right out of the Euphrates River, water with no disinfectant at all.

In fact, we had an e-mail from an Army physician who is in Iraq. She said: I have seen this. In fact, I went and tracked the hoses to find out where this water was coming from and what the contractor was doing with it. It was contaminated water that was worse quality than the water you take if you dip a pail in the Euphrates.

It is unbelievable. People get paid for this, they are incompetent, and they decide it doesn't matter? The person in charge of all the water in Iraq to be served to U.S. troops for Halliburton wrote an internal memorandum that I have made public. He said this was a near miss for us. It could have been mass sickness or even death. That was Will Granger, the top water quality manager, on May 13, last year.

Remember, this is a company which says this didn't happen. The Pentagon says it didn't happen. This is the internal Halliburton company report:

This event should be considered a “NEAR MISS” as the consequences of these actions could have been very SEVERE, resulting in mass sickness or death.

Officially, this company still insists this didn't happen. Their internal reports by their own employees in Iraq demonstrate it not only happened, it was very serious.

I don't do this because I am trying to make life miserable for somebody. I do this because we need to protect the American troops, first and foremost; and second, we need to protect the American taxpayers.

I much prefer that the authorization committees of jurisdiction through which this money moves would hold tough accountability hearings, call people in, put them under oath. But that has not happened. As a result, I have held a series of hearings as chairman of the Policy Committee. Such a hearing will occur in the morning on this issue of health care clinics.

My hope is that at some point, we will find an appetite in this Senate from people on both sides. This is not a Republican or a Democratic issue. I

hope we will find an appetite by everyone in this Senate to decide we are going to insist on people being accountable for the money that is spent and for what is done with respect to providing for American soldiers and doing what is necessary to be done under these contracts.

These contractors have fallen far short. The American taxpayers have been fleeced. They have taken a bath as a result of these kinds of actions. I know as I say this that there are undoubtedly some very good contractors. They have some good workers who risk their lives. They have done some good work. I say, God bless them. But when I see stories such as this, it makes my blood boil.

Harry Truman served in this Chamber. In fact, the first desk I had was a desk sat in by Harry Truman. He sat in this Chamber back in the early 1940s when we were at war. A President of his own party was in the White House. Harry Truman said: There is too much waste, fraud, and abuse in the Pentagon, in military spending, and they established the Truman Committee. He went all around the country holding hearings. They found billions of dollars of waste, fraud, and abuse. That was the legacy of the Truman Committee.

We ought to have one again. I have offered in the Senate, and I have been voted down. I think I have offered it now three times. By the way, I will offer it again. A good idea does not have to die a natural death. At some point, it can survive and succeed.

But more than the Truman Committee, I believe we ought to pass the legislation I described as I started. That legislation is legislation I introduced on March 3 of this year. It is now the end of July. On March 2, Senator REID, myself, and 30 of my colleagues introduced legislation called the Honest Leadership and Accountability In Contracting Act of 2006. It is long past the time for this Congress to have done what we should have done a month or 2 ago, 3 months ago; that is, pass this legislation, punish war profiteers, and do so aggressively. End cronyism in these key positions, especially in contracting, crack down on contract cheaters, and force real contract competition, real competition that gives the taxpayer the best price and holds accountable those contractors for getting the job done and getting it done in the right way.

I am going to pursue this, as I have indicated, with additional hearings, if necessary. I would much prefer they be done by the authorizing committees. One way or another, we are going to pursue these questions and ask for accountability and demand accountability.

As I said when I started, none of this is about politics. Republicans and Democrats work together on things from time to time in this Senate. This is one we can and should and I hope will work together on to fix for the good of this country and for the good of the American people.

RETIREMENT OF MARTY BERMAN

Mr. FRIST. Mr. President, the Senate community is losing a longtime and valued employee. After 18 years of loyal and distinguished service, Marty Berman is retiring from the Senate Recording Studio. Marty played an integral part in the television broadcast of the Senate's proceedings and in helping facilitate the audio and video needs of Senators and their staffs.

His service to his country really started 45 years ago. Marty served faithfully, enlisting twice in a military career that began when he was 17 and lasted 6 years from 1961 to 1967. Before leaving the military he was a communications specialist with duty in Vietnam.

Marty brought extensive television experience to his job at SRS. In the private sector he worked at Satellite News Network, CNN, and finally at CBS. His work for Charles Kuralt and CBS Sunday Morning was nominated for an Emmy. A 13-minute-long story he had photographed was aired, which is the television equivalent of a long book.

His career at the recording studio began in 1988 where he quickly came to specialize in audio operations. However, his contributions were not just technical. He also had just the right personal touch with Senators. It isn't always easy to get up in front of TV cameras and lights to speak, even for Senators, but Marty had the ability to put any Senator at ease. When floor directing, he spoke to each Senator easily and with warmth, and they trusted him. He was never intimidated but he was always respectful.

Marty can be a bit feisty, but his bark is much worse than his bite. To those who have gotten to know him, he is warm and caring, too.

Marty ended where he had started, working the Senate television shift. In 18 years he braved many long days and late nights through the Senate's always unpredictable schedule. Throughout his time at the studio, Marty could always be counted on to be at his post. That included his work as chief STV audio operator where for most days during his shift he started up in the audio booth, assuring that the Senators could always be heard in the Chamber and on television.

Marty has two grown sons, Eric and Alex. The two have been the pride of his life and have become responsible and caring adults. His marriage to Darlene has brought him much happiness. Both share the same three hobbies: antique collecting, antique collecting and more antique collecting. Their home is a somewhat cluttered but fascinating museum of American Western and American Indian artifacts, pottery, Big Little Books and just about anything else you can think of. Last but not least, there are four others who hold a place in his heart. They are Hoover the yellow lab, Clarence the basset hound, Crystal the cat, and Birdie the cockatiel. Birdie likes to lie back and

listen to the blues with Marty and Darlene and can even whistle "Bridge on the River Kwai."

Marty's unique personality, loyalty, and dedication will be missed. We all join to wish Marty the best as he begins this next adventure in his life and know he will enjoy the newfound time for family, friends, pets, and antique collecting.

CARL PERKINS CAREER AND TECHNICAL EDUCATION IMPROVEMENT ACT OF 2006

Mr. ENSIGN. Mr. President, I rise today to support final passage of S. 250, the Carl D. Perkins Career and Technical Education Improvement Act. This legislation represents a bipartisan effort to enhance and strengthen career and technical education programs across the United States.

In my home State of Nevada, career and technical education programs enjoy strong support. Recently, career and technical educators from across the State came together to come up with common course standards for students that focus on certain career and technical education programs. Nevada also has a Career and Technical Education Plan that links these course standards with the academic requirements of the No Child Left Behind Act.

I have always supported the Perkins Career and Technical Education Program because I believe that these programs often catch students that slip through the cracks in traditional education programs. Career and technical education programs provide students with real world applications for what they are learning in the classroom. Students in Nevada have the opportunity to work with state-of-the-art technology in their classrooms to learn the skills they need in the workforce. Too often these are students that would have dropped out of school had career and technical education courses not been available.

During the conference committee on this important legislation, I was honored to work with my colleagues to strengthen this legislation. We worked to ensure that career and technical education programs have strong performance indicators that are linked to meet industry standards as well as academic achievement. The tech-prep grant program was maintained as a separate program to encourage continued innovation in career and technical education programs. This legislation also encourages states to develop articulation agreements and sequences of courses, something Nevada has already worked hard to develop. Finally, this legislation recognizes the importance of strong partnerships between high schools and institutions of higher education that support these programs.

During the conference I worked hard to ensure that funding for the Perkins programs continued to flow to fast-growing States. It is vitally important that funding follow students to their

new homes. To that end, we maintained the current hold harmless level at the 1998 level. This allows millions of dollars to move from State to State according to student population counts. As a Senator for one of the fastest growing States in the country, it is my duty to ensure that each of the children in Nevada, whether they were born in Nevada or just recently moved there, are accounted for when Federal funds are allocated to States.

I am pleased that all of my colleagues supported final passage, and look forward to working with career and technical educators in Nevada to implement this important law.

Mrs. MURRAY. Mr. President, I rise today to applaud the passage of the Carl D. Perkins Career and Technical Education Improvement Act of 2006. Perkins, the Federal Government's largest investment in our Nation's high schools, provides critical resources for students pursuing career and technical education at the secondary and postsecondary levels. Although the President has proposed eliminating the program in recent budget requests, Perkins has enjoyed a long history of bipartisan support. More than 11 million students are currently enrolled in some form of career and technical education and I am confident this reauthorization will improve the programs and services available to help them realize their goals.

I am particularly heartened by this bill's heightened focus on individualized student counseling and the use of graduation and career plans. For too many students, high school graduation and postsecondary education seem out of reach. That is why I have introduced my Pathways for All Students to Succeed, PASS, Act. The PASS Act provides assistance for schools to hire and train mathematics and literacy coaches; supports the collection and reporting of accurate graduation rates; and targets funding for struggling schools to implement reforms. It also dedicates resources to increase the number of academic counselors working in schools. Research has shown that providing early high school students with guidance boosts the likelihood that they will graduate with a diploma. Early, individualized planning also helps students obtain the coursework and training they need to achieve their professional aspirations. I applaud the increased focus on individualized student counseling and planning in Perkins, which will reach career and technical education students earlier in their schooling and put them on a track to graduate.

This Perkins reauthorization retains and strengthens the Tech Prep program, which encourages states to design and implement innovative programs that combine secondary and postsecondary activities into a coherent set of courses. In my home State of Washington, it is estimated that workforce training at community and technical colleges increases a student's lifetime earnings by more than \$150,000.

Federal Perkins dollars, matched by States and localities, are precisely the kind of government investment that pays off over a lifetime and I salute the continuation of these important programs.

In addition, I am heartened by several of the major changes we made to update the bill. We strengthened the emphasis on assisting students in preparing for high skill, high wage or high demand occupations, ensuring that we provide our students with skills they need to remain competitive in today's global marketplace. We promoted partnerships among high schools, community colleges, local workforce investment boards, business and industry, with the twin goals of providing students with pathways toward skilled occupations and producing the trained workers that employers need. We promoted professional development opportunities for career and technical education teachers, counselors, and administrators, so that those leading our classrooms and schools remain on the cutting edge of ever-changing workplaces and economy.

I commend this bill for bolstering the reporting requirements for Perkins programs, extending this level of transparency to the local level and requiring disaggregation for important population subgroups, including individuals with disabilities; students from economically disadvantaged families, including foster children; people preparing for nontraditional training and employment; and single parents, including single pregnant women. I am pleased that States now are required to report on student rates of attainment of diplomas and GEDs, as well as annual graduation rates. Valid and reliable data serves both an accountability and diagnostic function, and I am pleased to see that this reauthorization requires states to collect and publicize this information.

I would like to thank Senator KENNEDY, Chairman ENZI, Chairman MCKEON, and Congressman MILLER for their leadership on this bill. I also want to thank Carmel Martin, Jane Oates, J.D. LaRock, Beth Buehlmann, Scott Fleming, Whitney Rhoades, and Denise Forte for their hard work. The time and effort dedicated by members and staff is evident in the quality of the final product and I am pleased to support the reauthorization of the act.

VOTING RIGHTS ACT REAUTHORIZATION AND AMENDMENTS ACT OF 2006

Mr. LEAHY. Mr. President, I have been advised by Chairman SPECTER's staff that the chairman is correcting the RECORD regarding some materials that were inserted last Thursday, July 20, 2006, during debate on reauthorization of the Voting Rights Act. I thank the chairman for correcting the RECORD. Contrary to how it appeared in the RECORD, those materials did not reflect work of the bipartisan staff of the Judiciary Committee.

I understand that the chairman filed a committee report last night on S. 2703, the Senate bill reported by the committee last Wednesday. I have yet to see a copy of that final report, nor is it yet publicly available. Indeed, no draft committee report on S. 2703 was circulated to the committee until July 24, 2006, 5 days after the Judiciary Committee unanimously voted to report it and the chairman had reported it, and four days after the Senate unanimously passed H.R. 9, the bill that President Bush signed into law this morning. That draft report did not contain findings based on the extensive record created in both the House and Senate.

In this highly unusual development, as the report filed should indicate, it does not reflect the views of a majority of the Senate Judiciary Committee. This, in spite of the fact that all members voted to report the bill favorably.

Fortunately, we had the foresight to include legislative findings in the body of the legislation itself. Those findings, based on the record, were adopted by the House and unanimously by the Senate last week. I want to thank Chairman SENSENBRENNER, Ranking Member CONYERS, Congressmen WATT and LEWIS, and all those who worked so hard to assemble and consider that record in the House. Their outstanding work gave us in the Senate a great start, which we supplemented with nine additional hearings. The findings remained the same and were adopted in identical form by both Houses. It is that bill and those findings, based on the extensive record that 18 members of the Judiciary Committee voted to report as part of S. 2703 last Wednesday, July 19 and that 98 Senators voted for in adopting H.R. 9 last Thursday, July 20.

With regard to committee consideration, after nine hearings, the committee held a special business meeting at my request to debate S. 2703 on July 19. At our business meeting, the committee debated and voted on only one substantive amendment, Senator COBURN's amendment related to section 203 of the Voting Rights Act. It was debated and then defeated. Other than an amendment I offered at Senator SALAZAR's suggestion to add the name of César Chávez to the short title, which was adopted, no other amendments were offered. The record is the record. As reported by The Houston Chronicle the next day, Senator CORNYN said: "I decided that any amendments would be defeated, so I decided not to offer any."

As Chairman SPECTER's deadline approached yesterday for filing views to be included in a highly unusual committee report, the Democratic Senators learned that the document the chairman was prepared to sign and file had changed dramatically from the document he had circulated as a draft report on July 24, 2006. As sponsors of the Senate legislation who have supported it pressed for its enactment and

voted for it, we felt compelled to file views registering our disappointment that the views then being circulated did not reflect our views, did not properly reflect the record supporting our bill, and did not fully endorse the bill we introduced, sponsored and that we and all members of the committee voted to report favorably to the Senate. After we filed our views, I understand the report was revised even further to incorporate what had previously been styled as supplemental views into a new and not previously circulated version.

I will ask unanimous consent to have printed in the RECORD a copy of the signature page showing that even then only nine Republican members of the committee, less than a majority, endorsed the report.

Of course, at the time of floor debate and consideration of H.R. 9 in the Senate, no Senate committee report on S. 2703 was available to Senators. Fortunately at the time of Senate floor debate and consideration of H.R. 9 in the Senate last week, Senators had available to them an extensive record to inform their votes. We had the voluminous Senate Judiciary Committee record, including thousands of pages of testimony. We had the full record before the House of Representatives, including thousands of pages of testimony. We had the House Committee Report and the full debate on the floor of the House of Representatives, including debate surrounding four substantive amendments to H.R. 9 that were all rejected.

Leading up to final passage of the Voting Rights Act reauthorization, I provided the Senate with some of the extensive evidence received in the Judiciary Committee about the persistence of discriminatory practices in covered jurisdictions that supports reauthorization of this crucial provision. I provided evidence regarding the need for fixes to two Supreme Court decisions to clarify Congress's intent regarding the Voting Rights Act to reinforce the original purpose of the act. I also pointed to evidence supporting the extension of the act's critical bilingual language assistance provisions. I included statements in the CONGRESSIONAL RECORD from Tuesday and Wednesday and available to all Senators during the course of the debate. I referred to that evidence early in the debate last Thursday.

Most importantly, of course, at the time we voted, all Senators had before them the detailed findings in section 2 of the legislation based on the record and all Senators endorsed those findings with their votes. For example, those findings explicitly include:

"Evidence of continued discrimination includ[ing] . . . the hundreds of objections interposed, requests for more information submitted followed by voting changes withdrawn from consideration by jurisdictions covered by the Voting Rights Act of 1965, and

section 5 enforcement actions undertaken by the Department of Justice in covered jurisdictions since 1982 that prevented election practices, such as annexation, at-large voting, and the use of multi-member districts, from being enacted to dilute minority voting strength; . . . the number of requests for declaratory judgments denied by the United States District Court for the District of Columbia; . . . the continued filing of section 2 cases that originated in covered jurisdictions; and . . . the litigation pursued by the Department of Justice since 1982 to enforce sections 4(e), 4(f)(4), and 203 of such Act to ensure that all language minority citizens have full access to the political process." In addition, those findings include, "[t]he continued evidence of racially polarized voting in each of the jurisdictions covered by the expiring provisions of the Voting Rights Act of 1965 demonstrates that racial and language minorities remain politically vulnerable, warranting the continued protection of the Voting Rights Act of 1965."

These findings the Senate adopted in its unanimous vote for H.R. 9 and as a reauthorization measure also incorporated the statutory findings within the following provisions of the Voting Rights Act of 1965: section 203(a); section 4(f)(1); section 10(a); and section 202(a).

By passing the legislation, Congress has adopted and reaffirmed the detailed findings in H.R. 9. The Senate unanimously adopted these findings. Nothing inserted in the RECORD thereafter can diminish the force of those findings contained within the enacted legislation itself. As several courts have properly recognized, postpassage "legislative history" is a contradiction in terms.

Earlier today, we celebrated the reauthorization and revitalization of the Voting Rights Act when President Bush signed that bill into law. I know that many in his party are unhappy with him, but I think he did the right thing. The Voting Rights Act is one of the most important laws Congress has ever passed. I am proud to say that our democracy and our Nation have been better and richer for it.

The Voting Rights Act is the keystone in the foundation of civil rights laws and is one of the most important methods of protecting all Americans' foundational right to vote. Several generations have kept the chain of support for the Voting Rights Act unbroken, and now our generation has done its part to continue that legacy and revitalize the act.

Keeping the Voting Rights Act intact is important, but enforcing it is equally important. Now that Congress has passed this bill—and the President has signed it—it is up to the President to ensure that this law and all of its provisions are enforced fully and faithfully. I was pleased today to hear the President commit to aggressive enforcement and to defend the act from legal attacks. Article I of the Constitution provides for the Congress to write the laws, and article II provides for the President to enforce them. Congress has done its part, and now the President must do his. I commend him for

saying that he will. That was the most important thing the President said today.

The President has not always been a supporter of this important civil rights law. While Governor of Texas, President Bush fought against some of the key antidiscrimination provisions Congress just reauthorized, as noted in a front page story in today's Washington Times. Today the President acted on behalf of all Americans and did the right thing despite the backbiting and criticism within his party. I commend him.

Now his responsibility is to faithfully execute the law and aggressively enforce its provisions. I trust we will not see another after-the-fact Presidential signing statement undercutting the commitment he made today in his public statement and by signing the Fannie Lou Hamer, Rosa Parks and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006.

The enactment of this law is a triumph for all Americans and a testament to efforts of its supporters in the House and Senate. On several occasions there were attempts by some to derail this bill. Those efforts continue. Fortunately, the findings in the act itself and the record we have built supports this important measure. We know that effective enforcement of these provisions is vital in stamping out discrimination that, unfortunately, still exists in this Nation today. As the President has acknowledged, the wound is not healed and there is more to do to protect the rights of all Americans to vote and have their votes count.

I ask unanimous consent that the signature page to which I referred be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Arlen Specter
Orrin Hatch
Chuck Grassley
Jon Kyl
Jeff Sessions
Lindsey Graham
John Cornyn
Sam Brownback
Tom Coburn

NOMINATION OF FREDERIC S. MISHKIN

Mr. BUNNING. Mr. President, I wish to speak briefly about the nomination of Dr. Frederic Mishkin to be a Federal Reserve Governor and why I voted against him.

I do not think Professor Mishkin is the right choice for the Federal Reserve. I am not convinced that he will be an independent voice.

I met with Professor Mishkin a few weeks ago and found Professor Mishkin to be a pleasant and intelligent man. I do not question his integrity or his qualifications for the job. He has spent his entire career studying and writing about monetary policy and economics. And his passion is evident.

To me, the question is not about Professor Mishkin's qualifications but about the kind of Fed we need. I do not hold Professor Mishkin's long friendship with Chairman Bernanke against him, nor do I think he will have problems speaking his mind to the chairman when they disagree. My concern is that those disagreements will be few and far between, and that the chairman hand picked him for that reason.

More than that, I am afraid the Fed has too many people with the same background. Many Fed members have spent a great deal of time studying central bank actions, but too few have experience dealing with the real-world consequences of those actions. Even Fed Chairman Ben Bernanke recently agreed that having people with different backgrounds on the Fed is healthy, and he stated his support for the next nominee to come from the financial services industry.

However, Professor Mishkin will only continue the trend toward an ivory-tower, academic Fed. Because of that, I voted "no".

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On January 23, 1981, in Chicago, IL, Stevie Lynch, a mentally retarded man, was attacked while walking to a friend's house. According to police, two men stopped Lynch on the street taunting him about his disability and trying to make him drink beer. They then pulled him into a passageway punching him and beating his head against the wall. Lynch suffered fractures to his skull and jaw. His disability appeared to be the sole motivation for the attack.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

THE PROBLEM WITH ILLEGAL GUNS

Mr. LEVIN. Mr. President, over the last 10 years, there have been more than 3.7 million crimes committed with firearms in this country. That is an average of 100 violent gun crimes every day, with almost 60 percent of these violent gun crimes occurring in our Nation's major cities.

America's major cities have been flooded with illegal guns. The underground market for guns is largely a product of the diversion of massive numbers of guns from licensed gun shops into the hands of criminals. A variety of sources supply the illegal market, including theft, unlicensed sellers who buy guns for the purpose of reselling them, corrupt Federal firearms licensees, and straw purchasers who buy guns for other unlicensed sellers, criminal users, and juveniles. Based on its own gun trafficking investigations, the Bureau of Alcohol, Tobacco, Firearms and Explosives, ATF, has concluded that corrupt gun dealers are the source of the largest number of firearms diverted to the illegal market. In 1998, the ATF found that 56 percent of dealers and 30 percent of pawnbrokers who sold 50 or more guns, had Federal firearms violations. In addition, 18 percent of the dealers and 45 percent of the pawnbrokers had guns missing from their inventory.

Despite the fact that the ATF inspections often reveal multiple illegal acts by gun dealers, the revocation of a dealer's license is a rare and difficult event. In 2003, the ATF conducted 1,812 inspections that uncovered regulatory violations with an average of over 80 violations per dealer. Despite this large number of dealers with multiple violations, the ATF issued only 54 notices of license revocation that year.

I have consistently supported commonsense legislation to help stop the flow of guns to the black market. Unfortunately, the failure of Congress to act on several commonsense bills has allowed criminals and terrorists continued easy access to guns. In addition to endangering our families and communities here in the United States, congressional inaction may also be helping to fuel international trafficking of powerful firearms.

If we make it harder for criminals to get guns, there will be fewer gun violence victims. By helping to keep guns out of the wrong hands, we can save lives.

FOREIGN INVESTMENT AND NATIONAL SECURITY ACT

Mr. SANTORUM. Mr. President, I rise today to support S. 3549, the Foreign Investment and National Security Act of 2006, because it makes great strides in modernizing the Committee on Foreign Investment in the United States, CFIUS, process. I firmly believe that national security is paramount, and confidence must be restored in the CFIUS screening process. CFIUS creates a careful balance between national security and the economic benefits of foreign investment. As such, we must protect our national security while not inadvertently and unnecessarily hurting this job-creating investment.

Over 5 million Americans work for insourcing companies with a payroll of nearly \$318 billion. In my State of Pennsylvania, 227,700 people owe their

jobs to a foreign-based company. Pennsylvania is a State that has worked hard to attract international companies like Mack Trucks Inc., SAP America, and Sony. That effort has yielded positive results.

With regard to S. 3549, there are a few unresolved issues that were raised in the Banking Committee process that could raise barriers to beneficial foreign investment. While the bill passed the committee unanimously, with my support, it was understood that a couple of outstanding concerns would be addressed before the bill would be signed into law. At this time, these concerns remain.

Two provisions in particular that could have a negative impact on positive foreign direct investment that creates jobs, fosters innovation and sustains U.S. manufacturing are: (1) the extension of the initial 30-day review period to allow an additional 30-day review and (2) the creation of a congressional reporting requirement for individual regulatory filings for each stage of the review process.

Mr. President, I hope that these concerns will be addressed in conference. While I support CFIUS reform, I believe there are issues that need to be addressed prior to passing a final bill to ensure that Congress takes a reasonable approach to reforming this process. I look forward to working with Chairman SHELBY to resolve these issues.

HONORING BOB FELLER

Mr. HARKIN. Mr. President, I rise today in support of Senate Concurrent Resolution 110, sponsored by my friend, the senior Senator from Ohio, which honors an American hero, Iowa's own Bob Feller.

Robert William Andrew Feller, better known to baseball fans as "Bullet Bob" or "Rapid Robert," will forever be recognized for his talent, courage, and heart. Throughout his life, Feller has achieved tremendous success. Born on a farm in Van Meter, Iowa, in 1918, Feller began his baseball career playing American Legion, amateur and semi-pro baseball on fields across the State.

He signed a contract to pitch for the Cleveland Indians in 1935 at the age 16. In his first major league start in 1936 he struck out 15 batters, showing the entire league that he was not just a kid but a true talent that could play with the big names. As anticipated by fellow coaches, players, and fans, Feller only progressed. He was the first pitcher to win 20 or more games by the age of 21 and pitched the only opening day no-hitter in major league baseball history. At the height of his astounding career, Feller put his loyalty to his country above all and enlisted in the U.S. Navy 2 days after the Japanese attack on Pearl Harbor. While putting his big-time baseball career on hold and valiantly serving in the Armed Forces for nearly 4 years, Feller earned eight bat-

tle stars working primarily aboard the USS *Alabama* in the gunnery department.

After being discharged, Feller was ready to go back to the game he loved. Having not played for 4 years, there was much speculation that he would not be the recordbreaking pitcher he once was. That year, he proved they were wrong. His 1946 season was the most successful of Feller's career. Throwing pitches clocked as fast as 109 miles per hour, Feller completed 36 of the 42 games he started while compiling a 2.18 earned run average. He also pitched his second career no-hitter against the New York Yankees, pitched a shutout victory for the American League in the All Star Game, and, for good measure, saved four out of six games in relief for the Indians. Feller overwhelmingly led the American League that year in wins, shutouts, strikeouts, games pitched, and innings. In 1962, 6 years after his last season, Bob Feller was inducted into the Baseball Hall of Fame in recognition for his extraordinary abilities, on and off the field.

It is my honor today to stand in support of Senate Concurrent Resolution 110, commemorating the 60th anniversary of the 1946 season of Iowa's native son, Bob Feller and his heroic military service to the United States.

ABRAHAM LINCOLN STUDY ABROAD PROGRAM

Mr. COLEMAN. Mr. President, I am honored to join Senator DURBIN in introducing the Abraham Lincoln Study Abroad Act which focuses on the important issue of preparing future generations to live and work in an increasingly interconnected and complicated world. My colleague and I strongly believe that in order for the United States to effectively confront global challenges, to compete successfully in a global economy, and to lead responsibly in the world, we must dramatically increase the number of Americans gaining international experience through study abroad.

In 2004, Congress recognized the value of study abroad when it formed the Commission on the Abraham Lincoln Study Abroad Fellowship Program. The Commission issued a report in November 2005 calling for a national study abroad program to greatly increase and diversify the number of U.S. students participating in study abroad while at the same time addressing the institutional barriers which hinder many students from studying abroad. Again, the Senate recognized the significance of the study abroad experience when it declared 2006 as the "Year of Study Abroad," and encouraged initiatives to promote and expand study abroad opportunities.

With this legislation, my colleague and I move this important agenda one step further by sponsoring a bill that will change the country. It will enable our students to graduate with skills

necessary to work effectively in today's global society by making study abroad an integral part of the undergraduate educational experience.

Today, only 1 percent of all enrolled undergraduate students spend time living and studying abroad for academic credit. And only approximately one-third of those students chose to study in locations outside Western Europe, even though an estimated 95 percent of the world's population growth will occur outside that area in the next 50 years. The percentages of minorities among individuals studying abroad are extremely low, and underrepresentative of the numbers of those students in the general student population.

Minnesota ranks third in the Nation for study abroad participation rates. During the 2003–2004 school year, 8073 students enrolled in Minnesotan colleges and universities studied abroad, which is a little less than 3 percent of the overall enrolled undergraduate student population in the State. I would like to see this number grow—study abroad opportunities will help make the next generation of Minnesotans and all Americans more competitive in the global marketplace.

The reality of the global environment commands that far more of our students study abroad, regardless of their field of study, ethnicity, socioeconomic status or gender, and that more of them study in nontraditional destinations. In order for graduates to be effective in the increasingly interconnected global society, they must better understand the broad world, not just a small part of it.

Study abroad should become the norm, not the exception for U.S. college students. It can only be good for our campuses, our communities and our Nation to have more U.S. students understanding more about the rest of the world.

ADDITIONAL STATEMENTS

TRIBUTE TO PERRY M. ZIMMERMAN

• Mrs. BOXER. Mr. President, I am pleased and honored to salute labor leader Perry Zimmerman, the distinguished business manager of the International Brotherhood of Electrical Workers, IBEW, Local 1245, and a vice president of the California Labor Federation, AFL–CIO. Perry is retiring after 5 years as IBEW Local 1245 business manager and more than 40 years of outstanding service to the labor community in California, Nevada, Oregon, Washington, and Idaho.

Perry Zimmerman began his career at Pacific Gas and Electric Company in 1962. During his 19 years there, he was an active union member, serving as a shop steward, unit chairman, and advisory council member.

In 1981, Perry joined the staff of IBEW Local 1245 as business representative, where he served members in Sac-

ramento and the San Francisco Bay Area. After 11 years, he was promoted to assistant business manager and served area members in both the private and public sectors.

Perry was elected business manager/financial secretary of IBEW Local 1245 in 2001. He was reelected in 2004 and has held this post ever since. As the leader of more than 18,000 members working for over 50 employers and 100 contractors, Perry Zimmerman is the voice of energy and communication workforces in 5 Western States. During this time, he was also a vice president of the California Labor Federation, AFL–CIO.

Throughout his career, Perry has demonstrated great enthusiasm and compassion for his fellow workers. As business manager, Perry was committed to being in regular touch with members, informing them of leadership decisions and requesting their opinions. He has said this was his favorite part of his job.

After more than 40 years of service to working families, Perry Zimmerman deserves some time off. Along with his friends and admirers throughout the Western United States, I wish him a long and pleasurable retirement.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

At 9:31 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills and joint resolution:

S. 1496. An act to direct the Secretary of the Interior to conduct a pilot program under which up to 15 States may issue electronic Federal migratory bird hunting stamps.

H.R. 4019. An act to amend title 4 of the United States Code to clarify the treatment of self-employment for purposes of the limitation on State taxation of retirement income.

H.R. 5865. An act to amend section 1113 of the Social Security Act to temporarily increase funding for the program of temporary assistance for United States citizens returned from foreign countries, and for other purposes.

H.J. Res. 86. An act approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

The enrolled bills and joint resolution were subsequently signed by the President pro tempore (Mr. STEVENS).

At 11:38 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5682. An act to exempt from certain requirements of the Atomic Energy Act of 1954 a proposed nuclear agreement for cooperation with India.

H.R. 5877. An act to amend the Iran and Libya Sanctions Act of 1996 to extend the authorities provided in such Act until September 29, 2006.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 400. Concurrent resolution expressing the sense of Congress that the Government of Venezuela should actively support strategies for ensuring secure airport facilities that meet international certifications to prevent trafficking of controlled substances, narcotics, and laundered money.

At 12:47 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2730. An act to authorize funding for eligible joint ventures between United States and Israeli businesses an academic persons, to establish the International Energy Advisory Board, and for other purposes.

H.R. 5319. An act to amend the Communications Act of 1934 to require recipients of universal service support for schools and libraries to protect minors from commercial social networking websites and chat rooms.

H.R. 5337. An act to ensure national security while promoting foreign investment and the creation and maintenance of jobs, to reform the process by which such investments are examined for any effect they may have on national security, to establish the Committee on Foreign Investment in the United States, and for other purposes.

H.R. 5611. An act to authorize a partnership between the Secretary of Energy and appropriate industry groups for the creation of a transportation fuel conservation education campaign, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2730. An act to establish a grant program to fund eligible joint ventures between United States and Israeli businesses and academic persons, to establish the International Energy Advisory Board, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5319. An act to amend the Communications Act of 1934 to require recipients of universal service support for schools and libraries to protect minors from commercial social networking websites and chat rooms; to the Committee on Commerce, Science, and Transportation.

H.R. 5611. An act to provide for the establishment of a partnership between the Secretary of Energy and appropriate industry groups for the creation of a transportation fuel conservation education campaign, and for other purposes; to the Committee on Energy and Natural Resources.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 400. Concurrent resolution expressing the sense of Congress that the Government of Venezuela should actively support strategies for ensuring secure airport facilities that meet international certifications to prevent trafficking of controlled substances, narcotics, and laundered money; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5337. An act to ensure national security while promoting foreign investment and the creation and maintenance of jobs, to reform the process by which such investments are examined for any effect they may have on national security, to establish the Committee on Foreign Investment in the United States, and for other purposes.

H.R. 5682. An act to exempt from certain requirements of the Atomic Energy Act of 1954 a proposed nuclear agreement for cooperation with India.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-7657. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Gypsy Moth; Regulated Articles" (RIN0579-AB55) (Doc. No. 00-067-2) received on July 21, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7658. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Asian Longhorned Beetle; Removal of Quarantined Area in Illinois" (Doc. No. APHIS-2006-0105) received on July 21, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7659. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Chronic Wasting Disease Herd Certification Program and Interstate Movement of Farmed or Captive Deer, Elk, and Moose" (RIN0579-AB35) (Doc. No. 00-108-3) received on July 24, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7660. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Imported Fire Ant; Addition of Counties in Arkansas and Tennessee to the List of Quarantined Areas" (Doc. No. APHIS-2006-0080) received on July 26, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7661. A communication from the Principal Deputy Associate Administrator, Office

of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-Propenoic Acid, 2-Methyl-, Polymer with Butyl 2-Propenoate, Methyl 2-Methyl-Propenoate, Methyl 2-Propenoate and 2-Propenoic Acid, Graft, Compound with 2-Amino-2Methyl-1-Propanol; Tolerance Exemption" (FRL No. 8077-4) received on July 25, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7662. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-Propenoic, 2-Methyl-, Polymers with Ethyl Acrylate and Polyethylene Glycol Methacrylate C18-22alkyl Ethers; Tolerance Exemption" (FRL No. 8078-3) received on July 25, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7663. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Revisions of Delegations of Authority" (RIN0560-AE51) received on July 26, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7664. A communication from the Acting Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report relative to conducting a standard competition of the Laundry and Dry Cleaning Operations function performed by civilian personnel in the Department of the Navy for possible performance by private contractors; to the Committee on Armed Services.

EC-7665. A communication from the Acting Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report of the beginning of preliminary planning under Office of Management and Budget Circular A-76 for the possible competition of Naval Facilities Engineering Command recycling functions; to the Committee on Armed Services.

EC-7666. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, authorization of Rear Admiral (lower half) David J. Dorsett, United States Navy, to wear the insignia of the grade of rear admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-7667. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, the report of (4) officers authorized to wear the insignia of rear admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-7668. A communication from the Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Transitional Assistance Management Program; Early Eligibility for TRICARE for Certain Reserve Component Members" (RIN0720-AA90) received on July 26, 2006; to the Committee on Armed Services.

EC-7669. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC-7670. A communication from the Under Secretary for Domestic Finance, Department of the Treasury, transmitting, pursuant to law, the annual report on the Resolution Funding Corporation for the calendar year

2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-7671. A communication from the General Counsel, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled "No. 2006-10: Data Reporting Requirements for the Federal Home Loan Banks" (RIN3069-AB28) received on July 26, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-7672. A communication from the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Third-Party Servicing of Indirect Vehicle Loans" (12 CFR Parts 701 and 741) received on July 26, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-7673. A communication from the Secretary of the Interior, transmitting, pursuant to law, the Department's Annual Report for Fiscal Year 2005 entitled "Outer Continental Shelf Lease Sales: Evaluation of Bidding Results"; to the Committee on Energy and Natural Resources.

EC-7674. A communication from the Chairman, Defense Nuclear Facilities Safety Board, transmitting, pursuant to law, a report entitled "Plutonium Storage at the Department of Energy's Savannah River Site"; to the Committee on Energy and Natural Resources.

EC-7675. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Computer Security; Access to Information on Department of Energy Computers and Computer Systems" (RIN1992-AA27) received on July 24, 2006; to the Committee on Energy and Natural Resources.

EC-7676. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Promoting Transmission Investment through Pricing Reform" (Docket No. RM06-4-000) received on July 24, 2006; to the Committee on Energy and Natural Resources.

EC-7677. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Rate Regulation of Certain Natural Gas Storage Facilities" (Docket Nos. RM05-23-000 and AD04-11-000) received on July 26, 2006; to the Committee on Energy and Natural Resources.

EC-7678. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, a report entitled "The Superfund Innovative Technology Evaluation Program: Annual Report to Congress FY 2003"; to the Committee on Environment and Public Works.

EC-7679. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities" (RIN2060-AK18) (FRL No. 8200-2) received on July 25, 2006; to the Committee on Environment and Public Works.

EC-7680. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—August 2006" (Rev. Rul. 2006-39) received on July 21, 2006; to the Committee on Finance.

EC-7681. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Excise Taxes With

Respect To Prohibited Tax Shelter Transactions to Which Tax-Exempt Entities Are Parties and Related Disclosure Requirements" (Notice 2006-65) received on July 21, 2006; to the Committee on Finance.

EC-7682. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Reporting of Gross Proceeds Payments to Attorneys" (RIN1545-AW72) received on July 21, 2006; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CRAIG, from the Committee on Veterans' Affairs, without amendment:

S. 2562. A bill to increase, effective as of December 1, 2006, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans (Rept. No. 109-296).

By Mr. CRAIG, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 2694. A bill to amend title 38, United States Code, to remove certain limitation on attorney representation of claimants for veterans benefits in administrative proceedings before the Department of Veterans Affairs, and for other purposes (Rept. No. 109-297).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Ms. COLLINS for the Committee on Homeland Security and Governmental Affairs.

*Jennifer M. Anderson, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

*Anna Blackburne-Rigsby, of the District of Columbia, to be Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

*Phyllis D. Thompson, of the District of Columbia, to be Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

*Mickey D. Barnett, of New Mexico, to be a Governor of the United States Postal Service for a term expiring December 8, 2013.

*Katherine C. Tobin, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2012.

*Ellen C. Williams, of Kentucky, to be a Governor of the United States Postal Service for the remainder of the term expiring December 8, 2007.

*Paul A. Denett, of Virginia, to be Administrator for Federal Procurement Policy.

By Mr. SPECTER for the Committee on the Judiciary.

Kimberly Ann Moore, of Virginia, to be United States Circuit Judge for the Federal Circuit.

R. Alexander Acosta, of Florida, to be United States Attorney for the Southern District of Florida for the term of four years.

Steven G. Bradbury, of Maryland, to be an Assistant Attorney General.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. STABENOW (for herself and Mr. LEVIN):

S. 3745. A bill to amend the Internal Revenue Code of 1986 to allow a tax credit for certain employer-provided retiree health care coverage, and for other purposes; to the Committee on Finance.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 3746. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to make grants to facilitate the establishment of the National Ag Science Center in Stanislaus County, California; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROCKEFELLER (for himself, Mr. KERRY, Mr. KENNEDY, and Mr. SARBANES):

S. 3747. A bill to amend title XVIII of the Social Security Act and the Employee Retirement Income Security Act of 1974 to provide access to Medicare benefits for individuals ages 55 to 65, to amend the Internal Revenue Code of 1986 to allow a refundable and advanceable credit against income tax for payment of such premiums, and for other purposes; to the Committee on Finance.

By Mr. NELSON of Florida (for himself and Mr. MARTINEZ):

S. 3748. A bill to require the Secretary of the Army to publish a supplement to the major rehabilitation report for the Herbert Hoover Dike system, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. FEINSTEIN:

S. 3749. A bill to suspend temporarily the duty on certain parts and accessories for measuring or checking instruments; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3750. A bill to suspend temporarily the duty on certain printed circuit assemblies for measuring equipment for telecommunications; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3751. A bill to suspend temporarily the duty on certain subassemblies for measuring equipment for telecommunications; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3752. A bill to liquidate or reliquidate certain entries of frozen fish fillets; to the Committee on Finance.

By Mr. BAUCUS:

S. 3753. A bill to provide emergency assistance to agricultural producers that have incurred losses during calendar year 2006 due to fires; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MARTINEZ (for himself and Mr. COLEMAN):

S. 3754. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and for other purposes; to the Committee on Finance.

By Mr. SCHUMER:

S. 3755. A bill to establish the Niagara Falls National Heritage Area in the State of New York, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ:

S. 3756. A bill to study and improve the air quality inside school buses, and for other purposes; to the Committee on Environment and Public Works.

By Mr. OBAMA (for himself and Mr. DURBIN):

S. 3757. A bill to designate the facility of the United States Postal Service located at

950 Missouri Avenue in East St. Louis, Illinois, as the "Katherine Dunham Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REED (for himself, Mr. ROCKEFELLER, Mr. KENNEDY, Mr. BINGAMAN, and Mr. KERRY):

S. 3758. A bill to establish certain requirements relating to the continuation of the Survey of Income and Program Participation; to the Committee on Commerce, Science, and Transportation.

By Mr. BURNS:

S. 3759. A bill to name the Armed Forces Readiness Center in Great Falls, Montana, in honor of Captain William Wylie Galt, a recipient of the Congressional Medal of Honor; to the Committee on Armed Services.

By Mr. KYL (for himself and Mr. DEWINE):

S. 3760. A bill to prohibit the suspension of royalties under certain circumstances and to clarify the authority to impose price thresholds for certain leases; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ISAKSON (for himself, Mr. CHAMBLISS, and Mr. ROCKEFELLER):

S. Res. 541. A resolution congratulating Spelman College on its 125th anniversary; considered and agreed to.

By Mr. CRAPO (for himself and Mr. DORGAN):

S. Res. 542. A resolution supporting the goals and ideas of National Peripheral Arterial Disease Awareness Week; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LOTT:

S. Res. 543. A resolution temporarily suspending the Rules for the Regulation of the Senate Wing of the United States Capitol and Senate Office Buildings for the purpose of permitting the taking of photographs in the area of the Daily Press Gallery; considered and agreed to.

ADDITIONAL COSPONSORS

S. 146

At the request of Mr. INOUE, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 146, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 267

At the request of Mr. CRAIG, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Florida (Mr. MARTINEZ) were added as cosponsors of S. 267, a bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes.

S. 489

At the request of Mr. ALEXANDER, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. 489, a bill to amend chapter 111 of title 28, United States Code,

to limit the duration of Federal consent decrees to which State and local governments are a party, and for other purposes.

S. 537

At the request of Mr. BINGAMAN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 537, a bill to increase the number of well-trained mental health service professionals (including those based in schools) providing clinical mental health care to children and adolescents, and for other purposes.

S. 914

At the request of Mr. ALLARD, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 914, a bill to amend the Public Health Service Act to establish a competitive grant program to build capacity in veterinary medical education and expand the workforce of veterinarians engaged in public health practice and biomedical research.

S. 1263

At the request of Mr. BOND, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1263, a bill to amend the Small Business Act to establish eligibility requirements for business concerns to receive awards under the Small Business Innovation Research Program.

S. 1537

At the request of Mr. AKAKA, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1537, a bill to amend title 38, United States Code, to provide for the establishment of Parkinson's Disease Research Education and Clinical Centers in the Veterans Health Administration of the Department of Veterans Affairs and Multiple Sclerosis Centers of Excellence.

S. 1774

At the request of Mr. CORNYN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1774, a bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the National Heart, Lung, and Blood Institute with respect to research on pulmonary hypertension.

S. 2048

At the request of Mr. OBAMA, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2048, a bill to direct the Consumer Product Safety Commission to classify certain children's products containing lead to be banned hazardous substances.

S. 2354

At the request of Mr. NELSON of Florida, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2354, a bill to amend title XVIII of the Social Security Act to reduce the coverage gap in prescription drug coverage under part D of such title based on savings to the Medicare program resulting from the negotiation of prescription drug prices.

S. 2491

At the request of Mr. CORNYN, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 2491, a bill to award a Congressional gold medal to Byron Nelson in recognition of his significant contributions to the game of golf as a player, a teacher, and a commentator.

S. 2590

At the request of Mr. COBURN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2590, a bill to require full disclosure of all entities and organizations receiving Federal funds.

S. 2707

At the request of Mr. SUNUNU, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2707, a bill to amend the United States Housing Act of 1937 to exempt qualified public housing agencies from the requirement of preparing an annual public housing agency plan.

S. 2791

At the request of Mr. STEVENS, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 2791, a bill to amend title 46 and 49, United States Code, to provide improved maritime, rail, and public transportation security, and for other purposes.

S. 3523

At the request of Mrs. FEINSTEIN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 3523, a bill to amend the Internal Revenue Code of 1986 to provide that the Tax Court may review claims for equitable innocent spouse relief and to suspend the running on the period of limitations while such claims are pending.

S. 3535

At the request of Mr. TALENT, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3535, a bill to modernize and update the National Housing Act and to enable the Federal Housing Administration to use risk based pricing to more effectively reach underserved borrowers, and for other purposes.

S. 3677

At the request of Mr. BINGAMAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 3677, a bill to amend title XVIII of the Social Security Act to eliminate the in the home restriction for Medicare coverage of mobility devices for individuals with expected long-term needs.

S. 3681

At the request of Mr. DOMENICI, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 3681, a bill to amend the Comprehensive Environmental Response Compensation and Liability Act of 1980 to provide that manure shall not be considered to be a hazardous substance, pollutant, or contaminant.

S. 3722

At the request of Mr. LUGAR, the name of the Senator from Mississippi

(Mr. LOTT) was added as a cosponsor of S. 3722, a bill to authorize the transfer of naval vessels to certain foreign recipients.

S.J. RES. 7

At the request of Mr. KENNEDY, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S.J. Res. 7, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S. CON. RES. 84

At the request of Mr. KYL, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. Con. Res. 84, a concurrent resolution expressing the sense of Congress regarding a free trade agreement between the United States and Taiwan.

S. CON. RES. 97

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. Con. Res. 97, a concurrent resolution expressing the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should provide from renewable resources not less than 25 percent of the total energy consumed in the United States and continue to produce safe, abundant, and affordable food, feed, and fiber.

S. RES. 359

At the request of Ms. LANDRIEU, the names of the Senator from North Carolina (Mr. BURR) and the Senator from North Carolina (Mrs. DOLE) were added as cosponsors of S. Res. 359, a resolution concerning the Government of Romania's ban on intercountry adoptions and the welfare of orphaned or abandoned children in Romania.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 3746. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to make grants to facilitate the establishment of the National Ag Science Center in Stanislaus County, California; to the committee on Agriculture, Nutrition, and Forestry.

Mrs. BOXER. Mr. President, I rise today with my colleague Senator FEINSTEIN to introduce a bill authorizing the Secretaries of Agriculture and Interior to make grants to facilitate the establishment of the National Ag Science Center in Stanislaus County, California. This bill will create a facility that will help teach visitors from all across the country about the significance of agriculture in our Nation's culture and economy, the importance of science in agriculture, and California's role as the Nation's preeminent agricultural State.

This bill will designate \$10 million in total grant funding to help fund construction costs of the center, with the

federal share limited to 33 percent of the total cost. I am happy to report that the center is making great progress on raising private donations to complete its share of the construction funding.

The center will help promote California's place as the Nation's most diverse and productive agricultural State. With the farmers, growers, and ranchers of our State producing over 350 different crops and commodities, and nearly 80,000 active farming operations, agriculture is one of California's most important industries. From our vineyards and wineries, to the almond, stone fruit, strawberry, cotton, and rice farms, to the citrus groves of central and southern California, to the dairy and cattle ranches across the State, farming and agriculture are ubiquitous in California and impact all of our communities in an important way.

The farms, large and small, produce half of America's produce and are exported all across the globe, providing billions of dollars to our economy and balance of trade.

The center's mission will place an emphasis on agricultural science education, with interactive, high-technology exhibits designed to foster an understanding of the importance of agriculture, and how science plays an essential role in the farm-to-food process. There will also be a strong focus on highlighting the important relationship between agriculture, conservation, and the environment.

I would also like to thank Representatives CARDOZA, MATSUI and RADANOVICH for introducing a companion bill in the House of Representatives.

By Mr. ROCKEFELLER (for himself, Mr. KERRY, Mr. KENNEDY, and Mr. SARBANES):

S. 3747. A bill to amend title XVIII of the Social Security Act and the Employee Retirement Income Security Act of 1974 to provide access to Medicare benefits for individuals ages 55 to 65, to amend the Internal Revenue Code of 1986 to allow a refundable and advanceable credit against income tax for payment of such premiums, and for other purposes; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, in 2004, 45.8 million Americans were without health insurance. That is 15.7 percent of our population, an increase of over 800,000 people in just one year. Yet this number doesn't even reflect the true extent of the problem, as at least another 16 million adults and children are underinsured. This means that even though they have insurance, they are not able to access quality health care when they need it because of high deductibles, soaring co-payments, and unreasonable health benefit restrictions.

As I have said many times before, it is unacceptable that a world superpower such as ours has so many people that are uninsured. Lacking or having

inadequate health insurance has been shown over and over to be associated with poorer health and quality of life. The uninsured are over 40 percent more likely to be diagnosed with late stage breast and prostate cancers and more than twice as likely to be diagnosed with late stage melanoma. They are hospitalized more often for avoidable conditions such as pneumonia and uncontrolled diabetes.

The Institute of Medicine estimates that 18,000 people die every year because they lack health coverage. Thousands more suffer unnecessary pain and disability because they can't get the health care they need when they need it. We cannot allow so many of our fellow citizens to just fall through the cracks of a deficient health care system. We can and must do better.

I have introduced several bills to this Congress to provide greater access to health insurance coverage in this country. These bills include the MediKids Health Insurance Act to improve coverage for kids, the TAA Health Coverage Improvement Act to offer insurance options to trade displaced workers, and the Small Employers Health Benefits Plan Act to offer more affordable health care to small business owners and their employees. Today, I join Senators KERRY, KENNEDY, and SARBANES in introducing yet another key piece of legislation to reduce the number of uninsured Americans—the Medicare Early Access Act of 2006.

The Medicare Early Access Act of 2006, which has also been introduced in the House of Representatives by Congressman PETE STARK, provides a new coverage option for our Nation's near elderly. This legislation would allow people aged 55 through 64, who are not otherwise eligible for coverage under a group health plan or Federal health insurance program, to buy into Medicare. It also provides a 75 percent tax credit for Medicare early access premiums to make coverage more affordable for the broadest range of near elderly individuals.

Insurance coverage for the near-elderly, the 29 million people between the ages of 55 and 64, is particularly critical. The near elderly are the fastest growing group of uninsured Americans—almost one in seven are uninsured. And, we know the risk of serious illness for adults increases with age, requiring more frequent contact with the health care system and the related financial obligations. Over 50 percent of near-elderly Americans have at least one serious health problem, including diabetes, cancer, chronic lung disease, heart problems, or stroke. Without adequate access to health care, these individuals typically delay care until more serious complications develop that could require high-cost hospital care or even lead to premature death.

With job layoffs, early retirement, and the dwindling number of employers offering health insurance, the near-elderly now face greater hurdles to maintaining adequate health care coverage.

In March of this year, a major American automotive company offered 113,000 of its employees up to \$140,000 to leave the company with no claims to future benefits. It is predicted that more large employers will follow suit in the near future, while other companies continue to seek bankruptcy court approval to set aside long-standing benefit programs. The greatest impact of these types of buyouts and benefit restrictions will be on the near-elderly age group, who do not yet have the safety net of Medicare.

Some of my colleagues might argue that Medicare buy-in legislation is unnecessary because the near elderly can get coverage in the individual market. I would say to my colleagues that the near elderly have an extremely difficult time buying insurance in the individual market. Because this group tends to have pre-existing chronic illnesses, private insurers often deny them coverage or offer them coverage at unaffordable rates. So the individual market actually fails to be an option for most near elderly individuals and they bear the risk of forgoing coverage altogether.

Lack of insurance and gaps in coverage affect us all, not just the uninsured person in need of care. When an uninsured person goes to a hospital, clinic, or emergency room and cannot pay for the cost of his or her care, the unpaid balances are passed on to those who have insurance or other means to pay. Insurance rates go up as do our taxes to support public programs. Whether through higher insurance premiums or taxes supporting our public insurance programs, we all pay, one way or another, for not doing more to address the problem of the uninsured. Failure to achieve a solution now to this burgeoning problem will surely cost us more if we wait, both in human life and in dollars.

The Medicare Early Access Act of 2006 may not be the total solution to solving America's crisis of the uninsured, but it is an earnest attempt to address the problem of the health care access for one of the most vulnerable segments of our population—the near elderly. These individuals often have the greatest need and the least choice when it comes to affordable health insurance coverage. By offering the near-elderly access to comprehensive health benefits through Medicare, we can hopefully reduce the long-term costs to our health care system. I urge my colleagues to join us in taking this important step toward making health insurance and personal dignity a reality for all Americans.

By Mr. OBAMA (for himself and Mr. DURBIN):

S. 3757. A bill to designate the facility of the United States Postal Service located at 950 Missouri Avenue in East St. Louis, Illinois, as the "Katherine Dunham Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

Mr. OBAMA. Mr. President, today, I am introducing legislation, along with Senator DURBIN, to honor the lifetime achievements and legacy of one of Illinois' most treasured figures, Katherine Dunham, who passed away on May 21, 2006. Our bill would name the post office on Missouri Avenue in East St. Louis, the "Katherine Dunham Post Office Building."

Katherine Dunham was born in Glen Ellyn, IL, on June 22, 1909, to Albert Millard Dunham and Fanny June Taylor. Her father was a descendant of slaves from Madagascar and West Africa, and her mother was French Canadian. Her diverse background would foreshadow her lifelong commitment to exploring and teaching the history of culture around the world.

Katherine Dunham's trailblazing life began at an early age when she entered the University of Chicago as one of the first African Americans to attend the school. She eventually earned bachelor, master's and doctoral degrees in anthropology, and participated in the Rosenwald Fellowship. Under this program she completed work on Caribbean and Brazilian dance anthropology, the first time significant work was done in the field. In 1931, Dunham opened her first dance school, which would become one of the most successful dance programs in American and European theater, and eventually led to her lead role in musicals, operas, and cabarets throughout the world.

Dunham first appeared in London in June 1948 with her company in "Caribbean Rhapsody" as part of the first tour to bring black dance as an art form, and American modern dance to the European public. After her return to the U.S., Dunham continued to dance, choreograph and direct on Broadway with her production, "Katharine Dunham and Her Company and Bamboche."

When "Aida" premiered in 1963, Dunham became the first African American to choreograph for the Metropolitan Opera, further establishing her stature in the dance community. Beginning in 1940, Dunham also appeared in several films, including, "Carnival of Rhythm", "Cabin in the Sky", "Star Spangled Rhythm", "Stormy Weather", and "Casbah". Dunham also produced the choreography for "Pardon My Sarong".

What's more, Katherine Dunham's legacy doesn't stop on the dance stage. She used her notoriety to focus the public's attention to social injustices around the world. At the age of 82, Ms. Dunham undertook a 47-day hunger strike in 1993, which helped shift public awareness to the international relationship between America and Haiti, ultimately assisting in the return of Haiti's first democratically elected President.

In 1967, Dunham moved to East St. Louis, where she helped open a performing arts training center and established a dance anthropology program at the innercity branch of southern Il-

linois University that was eventually named the Katherine Dunham Centers for the Arts and Humanities.

Katherine Dunham was a woman far ahead of her time and her contributions earned her the recognition and admiration of her peers. Among her many honors are the Presidential Medal of Arts, Kennedy Center Honors, French Legion of Honor, Southern Cross of Brazil, Grand Cross of Haiti, NAACP Lifetime Achievement Award, Lincoln Academy Laureate, and the Urban League's Lifetime Achievement Award. Dunham was one of 75 women whose lives were celebrated in the book, "I Have A Dream".

At one of the major highlights of her career, Dunham received the Albert Schweitzer Music Award "for a life's work dedicated to music and devoted to humanity," in front of a packed house at New York's Carnegie Hall.

I ask my colleagues to join me in celebrating the life and legacy of Katherine Dunham and her efforts to bring the cultures of the world to the community of East St. Louis, by naming the post office on Missouri Avenue in East St. Louis, the "Katherine Dunham Post Office Building."

Mr. DURBIN. Mr. President, post offices are often designated in honor of individuals who have made valuable contributions to their Nation. Today, I am pleased to honor Ms. Katherine Dunham, the world-renowned dancer, choreographer, teacher, and social activist, by cosponsoring legislation that designates the U.S. Post Office at 950 Missouri Avenue in East St. Louis, IL, as the "Katherine Dunham Post Office Building."

Born in Chicago and raised in Joliet, IL, Ms. Dunham began dancing while in high school. She became one of the first African Americans to attend the University of Chicago and later earned her bachelor's and master's degrees in anthropology. In 1938, Dunham was hired as dance director for Chicago's Federal Theatre Project, where her fiery style would mark her work for several decades.

In the spring of 1938, Ms. Dunham formed her own company, the Dunham Dance Company, and began to explore the connection of Caribbean dance to its African roots. In 1940, the company traveled to New York and performed a program titled "Tropics and Le Jazz Hot." New York Times critic John Martin said: "Her performance may very well become a historic occasion." Dunham's company undertook a national tour and performed on Broadway and in Hollywood. In 1945, Dunham opened the Katherine Dunham School of Arts and Research in New York. That same year, the company toured Europe with a program called "Caribbean Rhapsody," which was already a success in the United States. It was the first time Europe had seen Black dance as an art form and also the first time that special elements of American modern dance appeared outside America. In 1963, Dunham secured her place

in artistic history by becoming the first black choreographer at the Metropolitan Opera, where she helped stage the new production of "Aida."

Dunham shut down her dance company in 1965 to become adviser to the cultural ministry of Senegal. She attended the first World Festival of Negro Arts in Senegal as an official representative from the United States.

In 1967, Dunham opened the Performing Arts Training Center, an African-American cultural center for local youngsters, in East St. Louis, IL. She later expanded the program to include senior citizens.

Except for a brief appearance in 1965, Dunham did not perform regularly after 1962 as she focused on her choreography. One of her major works was choreographing and directing Scott Joplin's opera "Treemonisha" in 1972.

In February 1992, at the age of 82, Dunham again became the subject of international attention when she began a 47-day fast at her East St. Louis home. Because of her age, her involvement with Haiti, and the respect accorded her as an activist and artist, Dunham became the center of a movement that coalesced to protest the United States' deportations of Haitian boat-refugees fleeing to the United States after the military overthrow of Haiti's democratically-elected President Jean-Bertrand Aristide. She agreed to end her fast only after Aristide visited her and personally requested her to stop.

Ms. Dunham is the recipient of many coveted awards, including the Alvin Ailey American Dance Theater Dance Pioneer Award, the National Medal of Arts, Kennedy Center Honors, the French Legion of Honor, the Southern Cross of Brazil, the Grand Cross of Haiti, the NAACP Lifetime Achievement Award, the Lincoln Academy Laureate, the Urban League's Lifetime Achievement Award, and numerous honorary degrees. She was also one of 75 women whose lives were celebrated in the book, "I Have A Dream".

I ask my colleagues to join me in honoring Ms. Dunham's humanitarian, artistic, and intellectual contributions to the world of dance. She revolutionized American dance and used her fame to bring public attention to social injustices at home and abroad. It is appropriate to express our appreciation to Katherine Dunham for her service to the East St. Louis community and to the world by naming an East St. Louis post office in her honor.

By Mr. REED (for himself, Mr. ROCKFELLER, Mr. KENNEDY, Mr. BINGAMAN, and Mr. KERRY).

S. 3758. A bill to establish certain requirements relating to the continuation of the Survey of Income and Program Participation; to the Committee on Commerce, Science, and Transportation.

Mr. REED. Mr. President, I am joined by Mr. ROCKFELLER, Mr. KENNEDY, Mr. BINGAMAN, and Mr. KERRY in introducing important legislation regarding

the Survey of Income and Program Participation, SIPP. This legislation is also being introduced in the other body by Mrs. MALONEY.

The SIPP is the only large-scale longitudinal survey that provides data for evaluating the effectiveness of programs like Social Security, Medicaid, unemployment insurance, food stamps, and Temporary Assistance for Needy Families, TANF. There is no other survey that provides the richness and detail of the data that the SIPP collects. The survey provides essential information on the extent to which programs meet families' basic needs and promote upward mobility.

Unfortunately, the President, in his fiscal year 2007 budget, proposed the elimination of the SIPP, followed by a redesign that would not be ready until 2009 at the earliest. In the meantime, there would be an irretrievable loss of data.

By eliminating the SIPP, we not only abandon significant research investments by government and private researchers but we would also lose the ability to examine family outcomes over time. Without access to the SIPP's consistent time-series data, we will have to wait years, if not decades, to understand the implications of current policy decisions. Researchers and policymakers would no longer have an accurate dynamic picture of living standards in America.

It is important that we create a process to ensure that we do not lose valuable resources for assessing program effectiveness and economic well-being. As such, our legislation would create a SIPP Commission whose members would be required to review any proposals to change or eliminate the SIPP. This would allow for necessary input from users of the SIPP. The bill would also prevent the administration from unilaterally discontinuing or changing the survey.

Mr. President, this survey helps Congress to make good policy choices and to be good stewards of American tax dollars. Proposals to cut or eliminate this survey need to be taken seriously and considered carefully.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RESTRICTIONS.

The Secretary of Commerce may not—

- (1) discontinue the Survey of Income and Program Participation,
- (2) make any change in the design or content of such Survey, or
- (3) allow any of the foregoing,

unless the discontinuation or change involved has first been approved in accordance with section 2.

SEC. 2. PROPOSED ACTIONS.

(a) IN GENERAL.—Whenever in the judgment of the Secretary of Commerce it becomes necessary to discontinue the Survey

of Income and Program Participation or to make any change in the design or content of the Survey of Income and Program Participation, he shall prepare a written proposal under this subsection. Such proposal—

- (1) shall include—
 - (A) a description of the specific actions proposed to be taken;
 - (B) the date or schedule for their proposed implementation; and
 - (C) the reasons or justification for each proposed action; and
- (2) shall be submitted by the Secretary of Commerce to the SIPP Commission (established by section 3) in such time, form, and manner as the Commission may require.

(b) CONSIDERATION AND DECISION.—The SIPP Commission shall promptly consider any proposal received under subsection (a) and, after appropriate deliberation, shall transmit its decision to approve or disapprove such proposal to the Secretary of Commerce in timely fashion. Any such decision shall be in writing and shall include a statement of reasons and justification.

SEC. 3. ESTABLISHMENT OF COMMISSION.

(a) IN GENERAL.—There is established a commission to be known as the "Commission on the Survey of Income and Program Participation" (in this Act referred to as the "SIPP Commission" or the "Commission").

(b) COMPOSITION.—The Commission shall be composed of—

- (1) the Director of the Office of Management and Budget, who shall serve ex officio;
- (2) 1 member from the Department of Agriculture, who shall be appointed by the Secretary of Agriculture;
- (3) 1 member from the Department of Labor, who shall be appointed by the Secretary of Labor;
- (4) 1 member from the Department of Energy, who shall be appointed by the Secretary of Energy;
- (5) 1 member from the Department of Health and Human Services, who shall be appointed by the Secretary of Health and Human Services;
- (6) 1 member from the Social Security Administration, who shall be appointed by the Commissioner of Social Security;
- (7) 1 member from the Bureau of the Census, who shall be appointed by the Secretary of Commerce in consultation with the Director of the Census; and
- (8) 2 members from the National Academy of Sciences, who shall be appointed by the Director of the Office of Management and Budget from among individuals recommended by the Council of the National Academy of Sciences.

All appointments to the Commission shall be made from among social scientists and statisticians who have experience analyzing longitudinal household data on economic well-being and participation in government programs.

(c) TERMS OF APPOINTEES.—

(1) IN GENERAL.—Except as provided in paragraph (2), each member who is appointed to the Commission shall be appointed for a term of 2 years.

(2) VACANCIES.—

(A) IN GENERAL.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term.

(B) SERVICE AFTER TERM ENDS.—A member may serve after the expiration of that member's term until a successor has taken office.

(C) MANNER OF APPOINTMENT.—A vacancy among any of the appointed members shall be filled in the manner in which the original appointment was made.

(d) CHAIRMAN.—The Director of the Office of Management and Budget shall serve as Chairman of the Commission.

(e) FUNCTIONS.—

(1) IN GENERAL.—It shall be the function of the Commission to consider and act on any proposal relating to the Survey of Income and Program Participation (described in section 2(a)) in accordance with section 2(b).

(2) NONDELEGABLE FUNCTIONS.—The functions of the Director of the Office of Management and Budget under this Act shall be nondelegable.

(f) PROCEDURES.—The Commission shall meet at the call of the Chairman of the Commission. A majority of the members of the Commission who are eligible to vote shall constitute a quorum. All members except those under paragraphs (1) and (8), respectively, of subsection (b) shall be eligible to vote.

(g) COMPENSATION.—Members of the Commission shall serve as such without pay, but shall be allowed travel expenses, including a per diem allowance in lieu of subsistence, in the same manner as persons serving intermittently in Government service are allowed travel expenses under section 5703 of title 5, United States Code.

SEC. 4. EFFECTIVE DATE.

This Act shall take effect as of the date of the enactment of this Act or September 30, 2006, whichever is earlier.

By Mr. BURNS:

S. 3759. A bill to name the Armed Forces Readiness Center in Great Falls, Montana, in honor of Captain William Wylie Galt, a recipient of the Congressional Medal of Honor; to the Committee on Armed Services.

Mr. BURNS. Mr. President, I rise today to pay tribute to the Galt family from my home State of Montana. The Galt family first came to Montana in 1910 settling in Judith Basin County. They have been leaders in their communities ever since.

One member of the Galt family paid the ultimate sacrifice for his country at the young age of 24. U.S. Army CPT William Wylie Galt was awarded the Medal of Honor posthumously for his brave actions in 1944. The Medal of Honor is the highest award for valor in action against an enemy force that can be bestowed upon an individual serving in the armed services of the United States.

Captain Galt's citation reads:

For conspicuous gallantry and intrepidity above and beyond the call of duty. Capt. Galt, Battalion S3, at a particularly critical period following 2 unsuccessful attacks by his battalion, of his own volition went forward and ascertained just how critical the situation was. He volunteered, at the risk of his life, personally to lead the battalion against the objective. When the lone remaining tank destroyer refused to go forward, Capt. Galt jumped on the tank destroyer and ordered it to precede the attack. As the tank destroyer moved forward, followed by a company of riflemen, Capt. Galt manned the .30-caliber machinegun in the turret of the tank destroyer, located and directed fire on an enemy 77mm. anti-tank gun, and destroyed it. Nearing the enemy positions, Capt. Galt stood fully exposed in the turret, ceaselessly firing his machinegun and tossing hand grenades into the enemy zigzag series of trenches despite the hail of sniper and machinegun bullets ricocheting off the tank destroyer. As the tank destroyer moved, Capt. Galt so maneuvered it that 40 of the enemy were

trapped in one trench. When they refused to surrender, Capt. Galt pressed the trigger of the machinegun and dispatched every one of them. A few minutes later an 88mm shell struck the tank destroyer and Capt. Galt fell mortally wounded across his machinegun. He had personally killed 40 Germans and wounded many more. Capt. Galt pitted his judgment and superb courage against overwhelming odds, exemplifying the highest measure of devotion to his country and the finest traditions of the U.S. Army.

In 2005, the Base Realignment and Closure Commission, BRAC, decided to permanently close Galt Hall U.S. Army Reserve Center on Gore Hill in Great Falls, MT, and relocate units to a new Armed Forces Readiness Center near Malmstrom Air Force Base across town. The U.S. Army Reserve Center on Gore Hill was dedicated to Captain Galt in 1958.

I believe it is a fitting tribute to name the U.S. Armed Forces Readiness Center in Great Falls, MT, "The Captain William Wylie Galt Great Falls Armed Forces Readiness Center" to carry on the history of this brave Montanan.

Captain Galt may be gone, but with the naming of the Armed Forces Readiness Center in Great Falls after him, the memory of this true hero will live on and remind us that freedom is never free.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 541—CONGRATULATING SPELMAN COLLEGE ON ITS 125TH ANNIVERSARY

Mr. ISAKSON (for himself, Mr. CHAMBLISS, and Mr. ROCKEFELLER) submitted the following resolution, which was considered and agreed to:

Whereas, in 1881, Spelman College was established by Sophia B. Packard and Harriet E. Giles, school teachers and Baptist missionaries, in Atlanta, Georgia, for the purpose of educating African-American women and girls;

Whereas as a result of the benevolence of John D. Rockefeller, Sr., and Laura Spelman Rockefeller, the name of the institution was changed from "Atlanta Baptist Female Seminary" to "Spelman Seminary" in honor of the Spelman family;

Whereas the curriculum expanded to include high school and college classes, and the seminary conferred its first high school diplomas in 1887, and its first college degrees in 1901;

Whereas in 1924, Spelman Seminary officially became Spelman College and grew to become a leading undergraduate institution for African-American women;

Whereas Spelman College was ranked among the top 75 Best Liberal Arts Colleges according to U.S. News & World Report, 2005 edition;

Whereas the Association of Medical Colleges ranks Spelman College fifth among undergraduate programs for African-American students accepted to medical school, and Spelman is 1 of 6 institutions designated by the National Science Foundation and the National Aeronautics and Space Administration as a Model Institution for Excellence in undergraduate science and math education;

Whereas Spelman's ninth President, Beverly Daniel Tatum, has initiated a strategic

plan for Spelman ("Spelman ALIVE") that includes 5 goals: Academic excellence, Leadership development, Improving the infrastructure, Visibility of accomplishments of the campus community, and Exemplary customer service, all designed to create a vision for Spelman of "Nothing Less Than the Best"; and

Whereas Spelman College has prepared more than 6 generations of African American women to reach the highest levels of academic, community, and professional achievement: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Spelman College on 125th anniversary; and

(2) commends the President of Spelman College, Dr. Beverly Daniel Tatum, and the administration, faculty, staff, students, and alumnae of the College for their outstanding achievements and contribution to African American education, history, and culture.

SENATE RESOLUTION 542—SUPPORTING THE GOALS AND IDEAS OF NATIONAL PERIPHERAL ARTERIAL DISEASE AWARENESS WEEK

Mr. CRAPO (for himself, Mr. DORGAN) submitted the following resolution, which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 542

Whereas peripheral arterial disease is a vascular disease that occurs when narrowed arteries reduce the blood flow to the limbs;

Whereas peripheral arterial disease is a significant vascular disease that can be as serious as a heart attack or stroke;

Whereas peripheral arterial disease affects approximately 8,000,000 to 12,000,000 Americans;

Whereas patients with peripheral arterial disease are at increased risk of heart attack and stroke and are 6 times more likely to die within 10 years than are patients without peripheral arterial disease;

Whereas the survival rate for individuals with peripheral arterial disease is worse than the outcome for many common cancers;

Whereas peripheral arterial disease is a leading cause of lower limb amputation in the United States;

Whereas many patients with peripheral arterial disease have walking impairment that leads to a diminished quality of life and functional capacity;

Whereas a majority of patients with peripheral arterial disease are asymptomatic and less than half of individuals with peripheral arterial disease are aware of their diagnoses;

Whereas African-American ethnicity is a strong and independent risk factor for peripheral arterial disease, and yet this fact is not well known to those at risk;

Whereas effective treatments are available for people with peripheral arterial disease to reduce heart attacks, strokes, and amputations and to improve quality of life;

Whereas many patients with peripheral arterial disease are still untreated with proven therapies;

Whereas there is a need for comprehensive educational efforts designed to increase awareness of peripheral arterial disease among medical professionals and the greater public in order to promote early detection and proper treatment of this disease to improve quality of life, prevent heart attacks and strokes, and save lives and limbs; and

Whereas September 18 through September 22, 2006, would be an appropriate week to ob-

serve National peripheral arterial disease Awareness Week; Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Peripheral Arterial Disease Awareness Week;

(2) acknowledges the critical importance of peripheral arterial disease awareness to improve national cardiovascular health;

(3) supports raising awareness of the consequences of undiagnosed and untreated peripheral arterial disease and the need to seek appropriate care as a serious public health issue; and

(4) calls upon the people of the United States to observe the week with appropriate programs and activities.

SENATE RESOLUTION 543—TEMPORARILY SUSPENDING THE RULES FOR THE REGULATION OF THE SENATE WING OF THE UNITED STATES CAPITOL AND SENATE OFFICE BUILDINGS FOR THE PURPOSE OF PERMITTING THE TAKING OF PHOTOGRAPHS IN THE AREA OF THE DAILY PRESS GALLERY

Mr. LOTT submitted the following resolution, which was considered and agreed to:

S. RES. 543

Resolved, That—

(1) paragraph 1 of rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol and Senate Office Buildings (prohibiting the taking of pictures in the Senate Chamber) shall be temporarily suspended for the purpose of permitting the taking of photographs in the area of the Daily Press Gallery;

(2) photographs permitted under paragraph (1) may only be taken at a time when the Senate is in recess;

(3) photographs permitted to be taken under paragraph (1) may only be used in relation to United States District Court Civil Action No. 04-0026; and

(4) the Sergeant at Arms of the Senate is authorized and directed to make the necessary arrangements for implementation of paragraph (1), which arrangements shall provide that there will be no disruption to the business of the Senate.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4712. Mr. COLEMAN (for himself and Mr. TALENT) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table.

SA 4713. Mr. FRIST proposed an amendment to the bill S. 3711, *supra*.

SA 4714. Mr. FRIST proposed an amendment to amendment SA 4713 proposed by Mr. FRIST to the bill S. 3711, *supra*.

SA 4715. Mr. LAUTENBERG (for himself, Mr. MENENDEZ, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, *supra*; which was ordered to lie on the table.

SA 4716. Mr. LAUTENBERG (for himself, Mr. MENENDEZ, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, *supra*; which was ordered to lie on the table.

SA 4717. Mr. LAUTENBERG (for himself, Mr. MENENDEZ, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4718. Mr. LAUTENBERG (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4719. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4720. Mr. MENENDEZ (for himself, Ms. CANTWELL, Mr. LIEBERMAN, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4721. Mr. MENENDEZ (for himself, Ms. SNOWE, Mrs. FEINSTEIN, Ms. COLLINS, Mr. LAUTENBERG, Mrs. BOXER, Mr. REED, Mr. NELSON, of Florida, Mr. LIEBERMAN, Ms. CANTWELL, Mr. KERRY, Mr. SARBANES, Mr. DODD, Mr. KENNEDY, and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4722. Mr. MENENDEZ (for himself, Mr. LIEBERMAN, Mr. LAUTENBERG, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4723. Mr. MENENDEZ (for himself, Mr. LIEBERMAN, Ms. CANTWELL, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4724. Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Mr. LIEBERMAN, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4725. Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Ms. CANTWELL, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4726. Mr. MENENDEZ (for himself, Ms. CANTWELL, Mr. LAUTENBERG, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4727. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4728. Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4729. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4730. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4731. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4732. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4733. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4734. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4735. Mr. LAUTENBERG submitted an amendment intended to be proposed by him

to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4736. Mr. BIDEN submitted an amendment intended to be proposed to amendment SA 4713 proposed by Mr. FRIST to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4737. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

SA 4738. Mr. KYL (for himself and Mr. DEWINE) submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4712. Mr. COLEMAN (for himself and Mr. TALENT) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

On page 18, after line 17, add the following:
SEC. 6. ENERGY SECURITY.

(a) **SHORT TITLE.**—This section may be cited as the “Transforming Energy Now Act of 2006”.

(b) **TAX CREDITS.**—

(1) **INCREASE IN ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY CREDIT.**—Section 30C(a) of the Internal Revenue Code of 1986 is amended by striking “30 percent” and inserting “50 percent”.

(2) **AMT RELIEF.**—

(A) **PERSONAL CREDIT.**—Paragraph (2) of section 30C(d) of the Internal Revenue Code of 1986 is amended by striking “the excess (if any) of” and all that follows and inserting “the excess of—

“(A) the sum of the regular tax liability (as defined under section 26(b)) plus the tax imposed by section 55, over

“(B) the sum of the credits allowable under subpart A and sections 27, 30, and 30B.”.

(B) **BUSINESS CREDIT AMOUNT.**—Subparagraph (B) of section 38(c)(4) of the Internal Revenue Code of 1986 is amended—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii)(II), by striking the period at the end and inserting “, and”; and

(iii) by adding at the end the following:

“(iii) the portion of the credit under section 30C which is treated as a credit under this section by reason of section 30C(d)(1).”.

(3) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply to property placed in service after December 31, 2005, in taxable years ending after such date.

(c) **USE OF CAFE PENALTIES TO BUILD ALTERNATIVE FUELING INFRASTRUCTURE.**—Section 32912 of title 49, United States Code, is amended by adding at the end the following:

“(e) **ALTERNATIVE FUELING INFRASTRUCTURE GRANT PROGRAM.**—

“(1) **TRUST FUND.**—

“(A) **ESTABLISHMENT.**—There is established in the Treasury of the United States a trust fund, to be known as the Alternative Fueling Infrastructure Trust Fund (referred to in this subsection as the ‘Trust Fund’), consisting of such amounts as are deposited into the Trust Fund under subparagraph (B) and any interest earned on investment of amounts in the Trust Fund.

“(B) **TRANSFERS OF CIVIL PENALTIES.**—The Secretary of Transportation shall remit 90 percent of the amount collected in civil penalties under this section to the Trust Fund.

“(2) **ESTABLISHMENT OF GRANT PROGRAM.**—

“(A) **IN GENERAL.**—The Secretary of Energy shall obligate such sums as are available in the Trust Fund to establish a grant program to increase the number of locations at which consumers may purchase alternative transportation fuels.

“(B) **ALLOCATION TO CORPORATE AND NON-PROFIT ENTITIES.**—The Secretary shall allocate such sums from the Trust Fund as the Secretary considers appropriate to corporations (including nonprofit corporations) with demonstrated experience in the administration of grant funding. Corporations shall use funds received under this paragraph to award grants to owners and operators of fueling stations for the purpose of developing alternative fueling infrastructure for specific types of alternative fuels that can be used in at least 50,000 vehicles produced in the United States in the prior vehicle production year.

“(C) **CONSIDERATIONS.**—In making allocations under subparagraph (A), the Secretary shall—

“(i) give priority to recognized nonprofit corporations that have proven experience and demonstrated technical expertise in the establishment of alternative fueling infrastructure;

“(ii) consider the number of vehicles produced for sale in the preceding production year capable of using each specific type of alternative fuel; and

“(iii) identify 1 primary group per alternative fuel.

“(D) **MATCHING REQUIREMENT.**—The Secretary may not allocate funds to a corporation under this paragraph unless such corporation agrees to provide \$1 of non-Federal contributions for every \$3 of Federal funding received under this paragraph.

“(E) **LIMITATION ON ADMINISTRATIVE EXPENSES.**—A corporation may not expend more than 5 percent of the total allocation provided under this paragraph on administrative expenses.

“(F) **TECHNICAL AND MARKETING ASSISTANCE.**—Corporations receiving an allocation under subparagraph (A) shall provide grant recipients under paragraph (3) with technical and marketing assistance, including—

“(i) technical advice for compliance with applicable Federal and State environmental requirements;

“(ii) assistance in identifying alternative fuel supply sources; and

“(iii) point of sale and labeling materials.

“(3) **ADMINISTRATION OF GRANTS.**—

“(A) **DIRECT GRANTS TO FUEL STATION OWNERS AND OPERATORS.**—The Secretary of Energy shall award grants directly to owners and operators of fueling stations for the purpose of installing alternative fuel infrastructure for specific types of alternative fuels that can be used in fewer than 50,000 vehicles produced in the United States in the prior vehicle production year.

“(B) **GRANT RECIPIENT.**—Corporations receiving an allocation under paragraph (2), and the Secretary of Energy under subparagraph (A), shall award grants to owners and operators of fueling stations in an amount not greater than—

“(i) \$150,000 per site; or

“(ii) \$500,000 per entity.

“(C) **SELECTION.**—Grant recipients under this paragraph shall be selected on a formal, open, and competitive basis, based on—

“(i) the public demand for each alternative fuel in a particular county based on state registration records showing the number of vehicles that can be operated with alternative fuel; and

“(ii) the opportunity to create or expand corridors of alternative fuel stations along interstate or State highways.

“(D) USE OF FUNDS.—Grant funds received under this paragraph may be used to—

“(i) construct new facilities to dispense alternative fuels;

“(ii) purchase equipment to upgrade, expand, or otherwise improve existing alternative fuel facilities; or

“(iii) purchase equipment or pay for specific turnkey fueling services by alternative fuel providers.

“(E) MATCHING REQUIREMENT.—A recipient of a grant under this paragraph shall agree to provide \$1 of non-Federal contributions for every \$1 of grant funds received under this paragraph.

“(F) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grant recipient may not expend more than 3 percent of any grant provided under this paragraph on administrative expenses.

“(4) OPERATION OF ALTERNATIVE FUEL STATIONS.—Facilities constructed or upgraded with grant funds received under this subsection shall—

“(A) provide alternative fuel available to the public for a period of not less than 4 years;

“(B) establish a marketing plan to advance the sale and use of alternative fuels;

“(C) prominently display the price of alternative fuel on the marquee and in the station;

“(D) provide point of sale materials on alternative fuel;

“(E) clearly label the dispenser with consistent materials;

“(F) price the alternative fuel at the same margin that is received for unleaded gasoline; and

“(G) support and use all available tax incentives to reduce the cost of the alternative fuel to the lowest possible retail price.

“(5) NOTIFICATION REQUIREMENTS.—

“(A) OPENING.—Not later than the date on which each alternative fuel station begins to offer alternative fuel to the public, the grant recipient that used grant funds to construct such station shall notify the Secretary of Energy of such opening. The Secretary of Energy shall add each new alternative fuel station to the alternative fuel station locator on its Website when it receives notification under this subparagraph.

“(B) SEMI-ANNUAL REPORT.—Not later than 6 months after the receipt of a grant award under this subsection, and every 6 months thereafter, each grant recipient shall submit a report to the Secretary of Energy that describes—

“(i) the status of each alternative fuel station constructed with grant funds received under this subsection;

“(ii) the amount of alternative fuel dispensed at each station during the preceding 6-month period; and

“(iii) the average price per gallon of the alternative fuel sold at each station during the preceding 6-month period.

“(6) ALTERNATIVE FUEL DEFINED.—For the purposes of this subsection, the term ‘alternative fuel’ means—

“(A) any fuel of which at least 85 percent (or such percentage, but not less than 70 percent, as determined by the Secretary, by rule, to provide for requirements relating to cold start, safety, or vehicle functions) of the volume consists of ethanol, natural gas, compressed natural gas, liquefied natural gas, liquefied petroleum gas, or hydrogen; or

“(B) any mixture of biodiesel and diesel fuel determined without regard to any use of kerosene that contains at least 20 percent biodiesel.”

(d) LOW-INTEREST LOAN AND GRANT PROGRAM FOR RETAIL DELIVERY OF E-85 FUEL.—

(1) PURPOSES OF LOANS.—Section 312(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1942(a)) is amended—

(A) in paragraph (9)(B)(ii), by striking “or” at the end;

(B) in paragraph (10), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(11) building infrastructure, including pump stations, for the retail delivery to consumers of any fuel that contains not less than 85 percent ethanol, by volume.”

(2) PROGRAM.—Subtitle B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941 et seq.) is amended by adding at the end the following:

“SEC. 320. LOW-INTEREST LOAN AND GRANT PROGRAM FOR RETAIL DELIVERY OF E-85 FUEL.

“(a) IN GENERAL.—The Secretary shall establish a low-interest loan and grant program to assist farmer-owned ethanol producers (including cooperatives and limited liability corporations) to develop and build infrastructure, including pump stations, that is directly related to the retail delivery to consumers of any fuel that contains not less than 85 percent ethanol, by volume.

“(b) LOAN TERMS.—

“(1) AMORTIZATION.—The repayment of a loan received under this section shall be amortized over the expected life of the infrastructure project that is being financed with the proceeds of the loan.

“(2) INTEREST RATE.—The annual interest rate of a loan received under this section shall be fixed at not more than 5 percent.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.”

(3) REGULATIONS.—As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall promulgate such regulations as are necessary to carry out the amendments made by this subsection.

SA 4713. Mr. FRIST proposed an amendment to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; as follows:

At the end insert the following:

The effective date shall be 2 days after the date of enactment.

SA 4714. Mr. FRIST proposed an amendment to amendment SA 4713 proposed by Mr. FRIST to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; as follows:

On line 1, strike “2 days” and insert “1 day”.

SA 4715. Mr. LAUTENBERG (for himself, Mr. MENENDEZ, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. STATE APPROVAL.

Notwithstanding any other provision of this Act, the Secretary shall not approve offshore oil or natural gas preleasing, leasing, exploration, or drilling activities in waters that are located in the Mid-Atlantic planning area, North Atlantic planning area, South Atlantic planning area, Straits of Florida planning area, Washington/Oregon planning area, Northern California planning area, Central California planning area, or Southern California planning area without the written approval of the Governor of each coastal State located within 200 miles of the State that has approved, or has requested the Secretary to approve, the oil or natural gas preleasing, leasing, exploration, or drilling activities.

SA 4716. Mr. LAUTENBERG (for himself, Mr. MENENDEZ, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. REMEDIATION OF OIL AND GAS SPILLS.

(a) IN GENERAL.—Notwithstanding any other provision of this Act, for any spill that occurs as a result of exploration or drilling in waters in, or the transport of oil or gas from, the Mid-Atlantic planning area, North Atlantic planning area, South Atlantic planning area, Straits of Florida planning area, Washington/Oregon planning area, Northern California planning area, Central California planning area, Southern California planning area, or any other area seaward of any coastal State adjacent to those planning areas—

(1) 50 percent of the economic damages and environmental restoration costs for any State affected by the spill (including injury to the environment or natural resources of the United States (including the environment or natural resources of a national marine sanctuary, national estuarine research reserve, or national wildlife refuge) or of the coastal State) and any costs of removal and remediation associated with the spill, shall be paid by the 1 or more companies responsible for the exploration, drilling, or transport; and

(2) 50 percent of the economic damages and environmental restoration costs for any State affected by the spill shall be paid by the State that approved the preleasing, leasing, exploration, or drilling activities off of the coast of the State.

(b) LIABILITY.—The 1 or more companies and any State responsible for the applicable activity or the approval of the applicable activity under paragraph (1) and (2) of subsection (a), respectively, shall be strictly liable for any injuries, damages, and removal, remediation, and restoration costs from the spill.

(c) REIMBURSEMENT OF FEDERAL EXPENSES.—The 1 or more companies and any State responsible for the applicable activity or the approval of the applicable activity under paragraph (1) and (2) of subsection (a), respectively, shall reimburse the United States for any Federal funds expended to restore or remove the oil or gas, including funds made available—

(1) from the Oil Spill Liability Trust Fund established by section 9509 of the Internal Revenue Code of 1986;

(2) from the land and water conservation fund established under section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-5); and

(3) under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.).

SA 4717. Mr. LAUTENBERG (for himself, Mr. MENENDEZ, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. APPROVAL OF ATLANTIC STATES MARINE FISHERIES COMMISSION AND PACIFIC FISHERY MANAGEMENT COUNCIL.

(a) ATLANTIC STATES MARINE FISHERIES COMMISSION.—Notwithstanding any other provision of this Act, the Secretary shall not approve offshore oil or natural gas preleasing, leasing, exploration, or drilling activities in waters that are located in the Mid-Atlantic planning area, North Atlantic planning area, South Atlantic planning area, Straits of Florida planning area, or any other area seaward of any coastal State adjacent to the planning areas without a unanimous vote of approval of the proposed activities by the Atlantic States Marine Fisheries Commission.

(b) PACIFIC FISHERY MANAGEMENT COUNCIL.—Notwithstanding any other provision of this Act, the Secretary shall not approve offshore oil or natural gas preleasing, leasing, exploration, or drilling activities in the Washington/Oregon planning area, Northern California planning area, Central California planning area, Southern California planning area, or any other area seaward of any coastal State adjacent to the planning areas without a unanimous vote of approval of the proposed activities by the Pacific Fishery Management Council.

SA 4718. Mr. LAUTENBERG (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. APPROVAL OF MID-ATLANTIC FISHERY MANAGEMENT COUNCIL.

Notwithstanding any other provision of this Act, the Secretary shall not approve offshore oil or natural gas preleasing, leasing, exploration, or drilling activities in the Mid-Atlantic planning area, the South Atlantic planning area, or any other area seaward of any coastal State adjacent to the Mid-Atlantic or South Atlantic planning areas, without receiving a unanimous vote of approval of the proposed activities by the Mid-Atlantic Fishery Management Council.

SA 4719. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for

exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. OFFSHORE OIL AND GAS LEASING IN 181 AREA AND 181 SOUTH AREA OF GULF OF MEXICO.

(a) DEFINITIONS.—In this section:

(1) 181 AREA.—The term “181 Area” means the area identified in map 15, page 58, of the Proposed Final Outer Continental Shelf Oil and Gas Leasing Program for 1997–2002 of the Minerals Management Service.

(2) 181 SOUTH AREA.—The term “181 South Area” means any area—

(A) located—

(i) south of the 181 Area;

(ii) west of the Military Mission Line; and

(iii) in the Central Gulf of Mexico Planning Area of the Outer Continental Shelf, as designated in the document entitled “Draft Proposed Program Outer Continental Shelf Oil and Gas Leasing Program 2007–2012”, dated February 2006;

(B) excluded from the Proposed Final Outer Continental Shelf Oil and Gas Leasing Program for 1997–2002, dated August 1996, of the Minerals Management Service; and

(C) included in the areas considered for oil and gas leasing, as identified in map 8, page 37 of the document entitled “Draft Proposed Program Outer Continental Shelf Oil and Gas Leasing Program 2007–2012”, dated February 2006.

(3) MILITARY MISSION LINE.—The term “Military Mission Line” means the north-south line at 86°41′ W. longitude.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Minerals Management Service.

(b) 181 AREA LEASE SALE.—Except as otherwise provided in this section, the Secretary shall offer the 181 Area for oil and gas leasing pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) as soon as practicable, but not later than 1 year, after the date of enactment of this Act.

(c) 181 SOUTH AREA LEASE SALE.—The Secretary shall offer the 181 South Area for oil and gas leasing pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) as soon as practicable after the date of enactment of this Act.

(d) EXCLUDED AREAS.—In carrying out this section, the Secretary shall not offer for oil and gas leasing—

(1) any area east of the Military Mission Line, unless the Secretary of Defense agrees in writing before the area is offered for lease that the area can be developed in a manner that will not interfere with military activities; or

(2) any area that is within 100 miles of the coastline of the State of Florida.

(e) LEASING PROGRAM.—The 181 Area and 181 South Area shall be offered for lease under this section notwithstanding the omission of the 181 Area or the 181 South Area from any outer Continental Shelf leasing program under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344).

(f) CONFORMING AMENDMENT.—Section 105 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Public Law 109-54; 119 Stat. 522) is amended by inserting “(other than the 181 South Area (as defined in section 2 of the Gulf of Mexico Energy Security Act of 2006))” after “lands located outside Sale 181”.

SA 4720. Mr. MENENDEZ (for himself, Ms. CANTWELL, and Mr. LIEBERMAN, and Mr. LAUTENBERG) submitted

an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. FEDERAL REQUIREMENT TO PURCHASE ELECTRICITY GENERATED BY RENEWABLE ENERGY.

Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852) is amended by striking subsection (a) and inserting the following:

“(a) REQUIREMENT.—The President, acting through the Secretary, shall ensure that, of the total quantity of electric energy the Federal Government consumes during any fiscal year, the following amounts shall be renewable energy:

“(1) Not less than 5 percent in each of fiscal years 2008 and 2009.

“(2) Not less than 7.5 percent in each of fiscal years 2010 through 2012.

“(3) Not less than 10 percent in fiscal years 2013 and each fiscal year thereafter.”.

SA 4721. Mr. MENENDEZ (for himself, Ms. SNOWE, Mrs. FEINSTEIN, Ms. COLLINS, Mr. LAUTENBERG, Mrs. BOXER, Mr. REED, Mr. NELSON of Florida, Mr. LIEBERMAN, Ms. CANTWELL, Mr. KERRY, Mr. SARBANES, Mr. DODD, Mr. KENNEDY, and Mr. BIDEN) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

On page 9, line 5, strike “or”.

On page 9, line 17, strike the period at the end and insert a semicolon.

On page 9, between lines 17 and 18, insert the following:

(4) any area in the Mid-Atlantic planning area;

(5) any area in the North Atlantic planning area;

(6) any area in the South Atlantic planning area;

(7) any area in the Straits of Florida planning area;

(8) any area in the Washington/Oregon planning area;

(9) any area in the Northern California planning area;

(10) any area in the Central California planning area; or

(11) any area in the Southern California planning area.

SA 4722. Mr. MENENDEZ (for himself, Mr. LIEBERMAN, Mr. LAUTENBERG, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. FEDERAL FLEET CONSERVATION REQUIREMENTS.

(a) IN GENERAL.—Part J of title IV of the Energy Policy and Conservation Act (42

U.S.C. 6374 et seq.) is amended by adding at the end the following:

“SEC. 400FF. FEDERAL FLEET CONSERVATION REQUIREMENTS.

“(a) MANDATORY REDUCTION IN PETROLEUM CONSUMPTION.—

“(1) IN GENERAL.—The Secretary shall issue regulations for Federal fleets subject to section 400AA requiring that not later than October 1, 2009, each Federal agency achieve at least a 20 percent reduction in petroleum consumption, as calculated from the baseline established by the Secretary for fiscal year 1999.

“(2) PLAN.—

“(A) REQUIREMENT.—The regulations shall require each Federal agency to develop a plan to meet the required petroleum reduction level.

“(B) MEASURES.—The plan may allow an agency to meet the required petroleum reduction level through—

- “(i) the use of alternative fuels;
- “(ii) the acquisition of vehicles with higher fuel economy, including hybrid vehicles;
- “(iii) the substitution of cars for light trucks;
- “(iv) an increase in vehicle load factors;
- “(v) a decrease in vehicle miles traveled;
- “(vi) a decrease in fleet size; and
- “(vii) other measures.

“(C) REPLACEMENT TIRES.—The regulations shall include a requirement that each Federal agency purchase energy-efficient replacement tires for the respective fleet vehicles of the agency.

“(b) FEDERAL EMPLOYEE INCENTIVE PROGRAMS FOR REDUCING PETROLEUM CONSUMPTION.—

“(1) IN GENERAL.—Each Federal agency shall actively promote incentive programs that encourage Federal employees and contractors to reduce petroleum through the use of practices such as—

- “(A) telecommuting;
- “(B) public transit;
- “(C) carpooling; and
- “(D) bicycling.

“(2) MONITORING AND SUPPORT FOR INCENTIVE PROGRAMS.—The Administrator of the General Services Administration, the Director of the Office of Personnel Management, and the Secretary of the Department of Energy shall monitor and provide appropriate support to agency programs described in paragraph (1).”

“(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Energy Policy and Conservation Act (42 U.S.C. prec. 6201) is amended by adding at the end of the items relating to part J of title III the following:

“Sec. 400FF. Federal fleet conservation requirements.”

SA 4723. Mr. MENENDEZ (for himself, Mr. LIEBERMAN, Ms. CANTWELL, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. ASSISTANCE TO STATES TO REDUCE SCHOOL BUS IDLING.

(a) STATEMENT OF POLICY.—Congress encourages each local educational agency (as defined in section 9101(26) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(26))) that receives Federal funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to

develop a policy to reduce the incidence of school bus idling at schools while picking up and unloading students.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Energy, working in coordination with the Secretary of Education, \$5,000,000 for each of fiscal years 2007 through 2012 for use in educating States and local education agencies about—

- (1) benefits of reducing school bus idling; and
- (2) ways in which school bus idling may be reduced.

SA 4724. Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Mr. LIEBERMAN, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. TRANSIT-ORIENTED DEVELOPMENT CORRIDORS.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

(2) TRANSIT-ORIENTED DEVELOPMENT CORRIDOR.—The term “Transit-Oriented Development Corridor” or “TODC” means a geographic area designated by the Secretary under subsection (b).

(3) OTHER TERMS.—The terms “fixed guide way”, “local governmental authority”, “mass transportation”, “Secretary”, “State”, and “urbanized area” have the meanings given the terms in section 5302 of title 49, United States Code.

(b) TRANSIT-ORIENTED DEVELOPMENT CORRIDORS.—

(1) IN GENERAL.—The Secretary shall develop and carry out a program to designate geographic areas in urbanized areas as Transit-Oriented Development Corridors.

(2) CRITERIA.—An area designated as a TODC under paragraph (1) shall include rights-of-way for fixed guide way mass transportation facilities (including commercial development of facilities that have a physical and functional connection with each facility).

(3) NUMBER OF TODCS.—In consultation with State transportation departments and metropolitan planning organizations, the Secretary shall designate—

(A) not fewer than 10 TODCs by December 31, 2015; and

(B) not fewer than 20 TODCs by December 31, 2025.

(4) TRANSIT GRANTS.—

(A) IN GENERAL.—The Secretary make grants to eligible states and local governmental authorities to pay the Federal share of the cost of designating geographic areas in urbanized areas as TODCs.

(B) APPLICATION.—Each eligible State or local governmental authority that desires to receive a grant under this paragraph shall submit an application to the Secretary, at such time, in such manner, and accompanied by such additional information as the Secretary may reasonably require.

(C) LABOR STANDARDS.—Subchapter IV of chapter 31 of title 40, United States Code shall apply to projects that receive funding under this section.

(D) FEDERAL SHARE.—The Federal share of the cost of a project under this subsection shall be 50 percent.

(e) TODC RESEARCH AND DEVELOPMENT.—To support effective deployment of grants

and incentives under this section, the Secretary shall establish a TODC research and development program to conduct research on the best practices and performance criteria for TODCs.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$50,000,000 for each of fiscal years 2007 through 2012.

SA 4725. Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Ms. CANTWELL, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. EXPANSION OF RESOURCES TO WAVE, CURRENT, TIDAL, AND OCEAN THERMAL ENERGY.

(a) IN GENERAL.—Section 45(c)(1) of the Internal Revenue Code of 1986 (defining qualified energy resources) is amended by striking “and” at the end of subparagraph (G), by striking the period at the end of subparagraph (H) and inserting “, and”, and by adding at the end the following new subparagraph:

“(I) wave, current, tidal, and ocean thermal energy.”

(b) DEFINITION OF RESOURCES.—Section 45(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(10) WAVE, CURRENT, TIDAL, AND OCEAN THERMAL ENERGY.—The term ‘wave, current, tidal, and ocean thermal energy’ means electricity produced from any of the following:

“(A) Free flowing ocean water derived from tidal currents, ocean currents, waves, or estuary currents.

“(B) Ocean thermal energy.

“(C) Free flowing water in rivers, lakes, man made channels, or streams.”

(c) FACILITIES.—Section 45(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(11) WAVE, CURRENT, TIDAL, AND OCEAN THERMAL FACILITY.—In the case of a facility using resources described in subparagraph (A), (B), or (C) of subsection (c)(10) to produce electricity, the term ‘qualified facility’ means any facility owned by the taxpayer which is originally placed in service after the date of the enactment of this paragraph and before January 1, 2015, but such term shall not include a facility which includes impoundment structures or a small irrigation power facility.”

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SA 4726. Mr. MENENDEZ (for himself, Ms. CANTWELL, Mr. LAUTENBERG, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. DEPLOYMENT OF NEW TECHNOLOGIES TO REDUCE OIL USE IN TRANSPORTATION.**(a) FUEL FROM CELLULOSIC BIOMASS.—**

(1) **IN GENERAL.**—The Secretary of Energy shall provide deployment incentives under this subsection to encourage a variety of projects to produce transportation fuel from cellulosic biomass, relying on different feedstocks in different regions of the United States.

(2) **PROJECT ELIGIBILITY.**—Incentives under this subsection shall be provided on a competitive basis to projects that produce fuel that—

(A) meet United States fuel and emission specifications;

(B) help diversify domestic transportation energy supplies; and

(C) improve or maintain air, water, soil, and habitat quality.

(3) **INCENTIVES.**—Incentives under this subsection may consist of—

(A) loan guarantees under section 1510 of the Energy Policy Act of 2005 (42 U.S.C. 16501), subject to section 1702 of that Act (22 U.S.C. 16512), for the construction of production facilities and supporting infrastructure; or

(B) production payments through a reverse auction in accordance with paragraph (4).

(4) REVERSE AUCTION.—

(A) **IN GENERAL.**—In providing incentives under this subsection, the Secretary of Energy shall—

(i) issue regulations under which producers of fuel from cellulosic biomass may bid for production payments under paragraph (3)(B); and

(ii) solicit bids from producers of different classes of transportation fuel, as the Secretary of Energy determines to be appropriate.

(B) **REQUIREMENT.**—The rules under subparagraph (A) shall require that incentives be provided to the producers that submit the lowest bid (in terms of cents per gallon) for each class of transportation fuel from which the Secretary of Energy solicits a bid.

(b) ADVANCED TECHNOLOGY VEHICLES MANUFACTURING INCENTIVE PROGRAM.—**(1) DEFINITIONS.**—In this subsection:

(A) **ADJUSTED FUEL ECONOMY.**—The term “adjusted fuel economy” means the average fuel economy of a manufacturer for all light duty motor vehicles produced by the manufacturer, adjusted such that the fuel economy of each vehicle that qualifies for a credit shall be considered to be equal to the average fuel economy for the weight class of the vehicle for model year 2002.

(B) **ADVANCED LEAN BURN TECHNOLOGY MOTOR VEHICLE.**—The term “advanced lean burn technology motor vehicle” means a passenger automobile or a light truck with an internal combustion engine that—

(i) is designed to operate primarily using more air than is necessary for complete combustion of the fuel;

(ii) incorporates direct injection; and

(iii) achieves at least 125 percent of the city fuel economy of vehicles in the same size class as the vehicle for model year 2002.

(C) **ADVANCED TECHNOLOGY VEHICLE.**—The term “advanced technology vehicle” means a light duty motor vehicle that—

(i) is a hybrid motor vehicle or an advanced lean burn technology motor vehicle; and

(ii) meets—

(I) the Bin 5 Tier II emission standard established in regulations issued by the Administrator of the Environmental Protection Agency under section 202(i) of the Clean Air Act (42 U.S.C. 7521(i)), or a lower-numbered Bin emission standard;

(II) any new emission standard for fine particulate matter prescribed by the Adminis-

trator under that Act (42 U.S.C. 7401 et seq.); and

(III) at least 125 percent of the base year city fuel economy for the weight class of the vehicle.

(D) **ENGINEERING INTEGRATION COSTS.**—The term “engineering integration costs” includes the cost of engineering tasks relating to—

(i) incorporating qualifying components into the design of advanced technology vehicles; and

(ii) designing new tooling and equipment for production facilities that produce qualifying components or advanced technology vehicles.

(E) **HYBRID MOTOR VEHICLE.**—The term “hybrid motor vehicle” means a motor vehicle that draws propulsion energy from onboard sources of stored energy that are—

(i) an internal combustion or heat engine using combustible fuel; and

(ii) a rechargeable energy storage system.

(F) **QUALIFYING COMPONENTS.**—The term “qualifying components” means components that the Secretary of Energy determines to be—

(i) specially designed for advanced technology vehicles; and

(ii) installed for the purpose of meeting the performance requirements of advanced technology vehicles.

(2) **MANUFACTURER FACILITY CONVERSION AWARDS.**—The Secretary of Energy shall provide facility conversion funding awards under this subsection to automobile manufacturers and component suppliers to pay not more than 30 percent of the cost of—

(A) reequipping or expanding an existing manufacturing facility in the United States to produce—

(i) qualifying advanced technology vehicles; or

(ii) qualifying components; and

(B) engineering integration performed in the United States of qualifying vehicles and qualifying components.

(3) **PERIOD OF AVAILABILITY.**—An award under paragraph (2) shall apply to—

(A) facilities and equipment placed in service before December 30, 2017; and

(B) engineering integration costs incurred during the period beginning on the date of enactment of this Act and ending on December 30, 2017.

(4) **IMPROVEMENT.**—The Secretary of Energy shall issue regulations that require that, in order for an automobile manufacturer to be eligible for an award under this subsection during a particular year, the adjusted average fuel economy of the manufacturer for light duty vehicles produced by the manufacturer during the most recent year for which data are available shall be not less than the average fuel economy for all light duty motor vehicles of the manufacturer for model year 2002.

SA 4727. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. CELLULOSIC ETHANOL RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.

(a) **IN GENERAL.**—There is established in the Department of Energy a program under which the Secretary of Energy shall provide to eligible entities, as determined by the

Secretary, grants for the conduct of research, development, and demonstration projects on the use of cellulosic ethanol for vehicle fuel.

(b) **PRIORITY.**—In providing grants under subsection (a), the Secretary of Energy shall give priority to projects that use alternative or renewable energy sources in producing cellulosic ethanol.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$500,000,000 for the period of fiscal years 2007 through 2013.

SA 4728. Mrs. BOXER (for herself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 6. PROHIBITION OF OIL AND GAS LEASING IN CERTAIN AREAS OF THE OUTER CONTINENTAL SHELF.

Section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) is amended by adding at the end the following:

“(q) **PROHIBITION OF OIL AND GAS LEASING IN CERTAIN AREAS OF THE OUTER CONTINENTAL SHELF.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of this Act or any other law and except as provided in paragraph (2), beginning on the date of enactment of this subsection, the conduct of oil and gas preleasing, leasing, and related activities is prohibited in areas of the outer Continental Shelf located off the coast of the State of California.

“(2) **EFFECT.**—Nothing in this subsection affects any rights under leases issued under this Act before the date of enactment of this subsection.”.

SEC. 7. COMPREHENSIVE INVENTORY OF OUTER CONTINENTAL SHELF OIL AND NATURAL GAS RESOURCES.

Section 357(a) of the Energy Policy Act of 2005 (42 U.S.C. 15912(a)) is amended by inserting after “Continental Shelf” the following: “(other than the areas of the outer Continental Shelf off the coast of the State of California)”.

SA 4729. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. FEDERAL FLEET FUEL ECONOMY.

Section 32917 of title 49, United States Code, is amended by adding at the end the following:

“(a) **NEW VEHICLES.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), each passenger vehicle purchased, or leased for at least 60 consecutive days, by an executive agency after the date of the enactment of the Gulf of Mexico Energy Security Act of 2006 shall be as fuel efficient as possible.

“(2) **WAIVER.**—An executive agency may submit a written request to Congress for a waiver of the requirement under paragraph (1) in an emergency situation.”.

SA 4730. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. ASSISTANT SECRETARY FOR ADVANCED ENERGY RESEARCH, TECHNOLOGY DEVELOPMENT, AND DEPLOYMENT.

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—The Secretary of Energy shall establish in the Department of Energy the position of Assistant Secretary for Advanced Energy Research, Technology Development, and Deployment (referred to in this section as the “Assistant Secretary”), to be headed by, and to report to, the Secretary.

(2) **QUALIFICATIONS.**—The Assistant Secretary shall be an individual with—

(A) an advanced education degree in energy technology; and

(B) substantial commercial research and technology development and deployment experience.

(b) **MISSION.**—The mission of the Assistant Secretary is—

(1) to implement an innovative energy research, technology development, and deployment program to—

(A) increase national security by significantly reducing petroleum and imported fuels consumption;

(B) significantly improve the efficiency of electricity use and the reliability of the electricity system; and

(C) significantly reduce greenhouse gas emissions; and

(2) to sponsor a diverse portfolio of cutting-edge, high-payoff research, development, and deployment projects to carry out the program.

(c) **EXPERIMENTAL PERSONNEL AUTHORITY.**—The Assistant Secretary may staff the office of the Assistant Secretary primarily using a program of experimental use of special personnel management authority in order to facilitate recruitment of eminent experts in science or engineering for management of research and development projects and programs administered by the Assistant Secretary under similar terms and conditions as the authority is exercised under section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 5 U.S.C. 3104 note), as determined by the Assistant Secretary.

(d) **TRANSACTIONS OTHER THAN CONTRACTS AND GRANTS.**—To carry out projects under this section, the Assistant Secretary may enter into transactions to carry out advanced research projects under this subsection under similar terms and conditions as the authority is exercised under section 646(g) of the Department of Energy Organization Act (42 U.S.C. 7256(g)).

(e) **PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.**—

(1) **IN GENERAL.**—Subject to paragraphs (2) through (4), the Assistant Secretary may carry out a program to award cash prizes in recognition of outstanding achievements in basic, advanced, and applied research, technology development, and prototype development that have the potential to advance the mission described in subsection (b) under similar terms and conditions as the authority is exercised under section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396).

(2) **COMPETITION REQUIREMENTS.**—In carrying out this subsection, the Assistant Secretary shall—

(A) use a competitive process for the selection of recipients of cash prizes; and

(B) conduct widely-advertised solicitation of submissions of research results, technology developments, and prototypes.

(3) **MAXIMUM AMOUNT FOR ALL CASH PRIZES.**—The total amount of all cash prizes awarded for a fiscal year under this subsection may not exceed \$50,000,000.

(4) **MAXIMUM AMOUNT OF INDIVIDUAL CASH PRIZES.**—The amount of an individual cash prize awarded under this subsection may not exceed \$10,000,000 unless the amount of the award is approved by the Secretary of Energy.

(f) **ANNUAL REPORTS.**—As soon as practicable after the end of each fiscal year for which the Assistant Secretary receives funds under subsection (h), the Assistant Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce, and the Committee on Science, of the House of Representatives a report on the progress, challenges, future milestones, and strategic plan of the Assistant Secretary, including—

(1) a description of, and rationale for, any changes in the strategic plan;

(2) the adequacy of human and financial resources necessary to achieve the mission described in subsection (b); and

(3) in the case of cash prizes awarded under subsection (e), a description of—

(A) the applications of the research, technology, or prototypes for which prizes were awarded;

(B) the total amount of the prizes that were awarded;

(C) the methods used for solicitation and evaluation of submissions and an assessment of the effectiveness of those methods; and

(D) recommendations to improve the prize program.

(g) **RELATIONSHIP TO OTHER AUTHORITY.**—The program under this section may be carried out in conjunction with, or in addition to, the exercise of any other authority of the Assistant Secretary to acquire, support, or stimulate basic, advanced, and applied research, technology development, or prototype projects.

(h) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

(1) \$1,000,000,000 for fiscal year 2007; and

(2) \$2,000,000,000 for each of fiscal years 2008 through 2011.

SA 4731. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. ENERGY SAVINGS PERFORMANCE CONTRACTS.

(a) **RETENTION OF SAVINGS.**—Section 546(c) of the National Energy Conservation Policy Act (42 U.S.C. 8256(c)) is amended by striking paragraph (5).

(b) **FINANCING FLEXIBILITY.**—Section 801(a)(2) of the National Energy Conservation Policy Act (42 U.S.C. 8287(a)(2)) is amended by adding at the end the following:

“(E) **SEPARATE CONTRACTS.**—In carrying out a contract under this title, a Federal agency may—

“(i) enter into a separate contract for energy services and conservation measures under the contract; and

“(ii) provide all or part of the financing necessary to carry out the contract.”.

(c) **DEFINITION OF ENERGY SAVINGS.**—Section 804(2) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(2)) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and indenting appropriately;

(2) by striking “means a reduction” and inserting “means—

“(A) a reduction”;

(3) by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(B) the increased efficient use of an existing energy source by cogeneration or heat recovery, and installation of renewable energy systems;

“(C) the sale or transfer of electrical or thermal energy generated on-site, but in excess of Federal needs, to utilities or non-Federal energy users; and

“(D) the increased efficient use of existing water sources in interior or exterior applications.”.

(d) **ENERGY AND COST SAVINGS IN NON-BUILDING APPLICATIONS.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **NONBUILDING APPLICATION.**—The term “nonbuilding application” means—

(i) any class of vehicles, devices, or equipment that is transportable under the power of the applicable vehicle, device, or equipment by land, sea, or air and that consumes energy from any fuel source for the purpose of—

(I) that transportation; or

(II) maintaining a controlled environment within the vehicle, device, or equipment; and

(ii) any federally-owned equipment used to generate electricity or transport water.

(B) **SECONDARY SAVINGS.**—

(i) **IN GENERAL.**—The term “secondary savings” means additional energy or cost savings that are a direct consequence of the energy savings that result from the energy efficiency improvements that were financed and implemented pursuant to an energy savings performance contract.

(ii) **INCLUSIONS.**—The term “secondary savings” includes—

(I) energy and cost savings that result from a reduction in the need for fuel delivery and logistical support;

(II) personnel cost savings and environmental benefits; and

(III) in the case of electric generation equipment, the benefits of increased efficiency in the production of electricity, including revenues received by the Federal Government from the sale of electricity so produced.

(2) **STUDY.**—

(A) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary of Energy and the Secretary of Defense shall jointly conduct, and submit to Congress and the President a report of, a study of the potential for the use of energy savings performance contracts to reduce energy consumption and provide energy and cost savings in nonbuilding applications.

(B) **REQUIREMENTS.**—The study under this subsection shall include—

(i) an estimate of the potential energy and cost savings to the Federal Government, including secondary savings and benefits, from increased efficiency in nonbuilding applications;

(ii) an assessment of the feasibility of extending the use of energy savings performance contracts to nonbuilding applications, including an identification of any regulatory or statutory barriers to such use; and

(iii) such recommendations as the Secretary of Energy and Secretary of Defense determine to be appropriate.

SA 4732. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE II—ELIMINATING UNNECESSARY OIL TAX BREAKS

SEC. 201. ELIMINATION OF DEDUCTION FOR INTANGIBLE DRILLING AND DEVELOPMENT COSTS FOR MAJOR OIL COMPANIES.

(a) **IN GENERAL.**—Section 263(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new sentences: “This subsection shall not apply during any taxable year with respect to a major integrated oil company (as defined in section 43(f)(2)) if during the preceding taxable year for the production of oil, the average price of crude oil in the United States is greater than \$34.71 per barrel, and for the production of natural gas, the average wellhead price of natural gas in the United States is greater than \$4.34 per 1,000 cubic feet. For purposes of the preceding sentence, the Secretary shall determine average prices, taking into consideration the most recent data reported by the Energy Information Administration. For taxable years beginning after December 31, 2007, each dollar amount specified in this subsection shall be adjusted to reflect changes for the 12-month period ending the preceding September 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.”

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 202. ELIMINATION OF ENHANCED OIL RECOVERY CREDIT FOR MAJOR OIL COMPANIES.

(a) **IN GENERAL.**—Section 43 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(f) **NONAPPLICATION OF SECTION.**—

“(1) **IN GENERAL.**—This section shall not apply during any taxable year with respect to a major integrated oil company if during the preceding taxable year for the production of oil, the average price of crude oil in the United States is greater than \$34.71 per barrel. For purposes of the preceding sentence, the Secretary shall determine average prices, taking into consideration the most recent data reported by the Energy Information Administration. For taxable years beginning after December 31, 2007, the dollar amount specified in this paragraph shall be adjusted to reflect changes for the 12-month period ending the preceding September 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

“(2) **MAJOR INTEGRATED OIL COMPANY.**—For purposes of this subsection, the term ‘major integrated oil company’ means, with respect to any taxable year, a producer of crude oil—

“(A) which has an average daily worldwide production of crude oil of at least 500,000 barrels for the taxable year,

“(B) which had gross receipts in excess of \$1,000,000,000 for its last taxable year ending during calendar year 2005, and

“(C) to whom subsection (c) of section 613A does not apply by reason of paragraph (4) of section 613A(d), determined—

“(i) by substituting ‘15 percent’ for ‘5 percent’ each place it occurs in paragraph (3) of section 613A(d), and

“(ii) without regard to whether subsection (c) of section 613A does not apply by reason of paragraph (2) of section 613A(d).

For purposes of subparagraphs (A) and (B), all persons treated as a single employer under subsections (a) and (b) of section 52 shall be treated as 1 person and, in case of a short taxable year, the rule under section 448(c)(3)(B) shall apply.”

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 203. OIL AND GAS ROYALTY-RELATED AMENDMENTS.

(a) **REPEAL.**—Sections 344 through 346 of the Energy Policy Act of 2005 (42 U.S.C. 15902 et seq.) are repealed.

(b) **TERMINATION OF ALASKA OFFSHORE ROYALTY SUSPENSION.**—Section 8(a)(3)(B) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(B)) is amended by striking “and in the Planning Areas offshore Alaska”.

SEC. 204. EXTENSION OF ELECTION TO EXPENSE CERTAIN REFINERIES.

(a) **EXTENSION.**—

(1) **IN GENERAL.**—Section 179C(c)(1) of the Internal Revenue Code of 1986 (defining qualified refinery property) is amended—

(A) by striking “and before January 1, 2012” in subparagraph (B) and inserting “and, in the case of any qualified refinery described in subsection (d)(1), before January 1, 2012”, and

(B) by inserting “if described in subsection (d)(1)” after “of which” in subparagraph (F)(i).

(2) **CONFORMING AMENDMENT.**—Subsection (d) of section 179C of the Internal Revenue Code of 1986 is amended to read as follows:

“(d) **QUALIFIED REFINERY.**—For purposes of this section, the term ‘qualified refinery’ means any refinery located in the United States which is designed to serve the primary purpose of processing liquid fuel from—

“(1) crude oil, or

“(2) qualified fuels (as defined in section 45K(c)).”

(3) **EFFECTIVE DATE.**—The amendments made by this subsection shall take effect as if included in the amendment made by section 1323(a) of the Energy Policy Act of 2005.

(b) **NONAPPLICATION FOR MAJOR OIL COMPANIES.**—

(1) **IN GENERAL.**—Section 179C of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(i) **NONAPPLICATION OF SECTION.**—

“(1) **IN GENERAL.**—This section shall not apply during any taxable year with respect to a major integrated oil company if during the preceding taxable year for the production of oil, the average price of crude oil in the United States is greater than \$34.71 per barrel. For purposes of the preceding sentence, the Secretary shall determine average prices, taking into consideration the most recent data reported by the Energy Information Administration. For taxable years beginning after December 31, 2007, the dollar amount specified in this paragraph shall be adjusted to reflect changes for the 12-month period ending the preceding September 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

“(2) **MAJOR INTEGRATED OIL COMPANY.**—For purposes of this subsection, the term ‘major integrated oil company’ means, with respect to any taxable year, a producer of crude oil—

“(A) which has an average daily worldwide production of crude oil of at least 500,000 barrels for the taxable year,

“(B) which had gross receipts in excess of \$1,000,000,000 for its last taxable year ending during calendar year 2005, and

“(C) to whom subsection (c) of section 613A does not apply by reason of paragraph (4) of section 613A(d), determined—

“(i) by substituting ‘15 percent’ for ‘5 percent’ each place it occurs in paragraph (3) of section 613A(d), and

“(ii) without regard to whether subsection (c) of section 613A does not apply by reason of paragraph (2) of section 613A(d).

For purposes of subparagraphs (A) and (B), all persons treated as a single employer under subsections (a) and (b) of section 52 shall be treated as 1 person and, in case of a short taxable year, the rule under section 448(c)(3)(B) shall apply.”

(2) **EFFECTIVE DATE.**—The amendment made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 205. ELIMINATION OF AMORTIZATION OF GEOLOGICAL AND GEOPHYSICAL EXPENDITURES FOR MAJOR OIL COMPANIES.

(a) **IN GENERAL.**—Section 167(h) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(5) **NONAPPLICATION OF SECTION.**—

“(A) **IN GENERAL.**—This subsection shall not apply during any taxable year with respect to a major integrated oil company if during the preceding taxable year for the production of oil, the average price of crude oil in the United States is greater than \$34.71 per barrel, and for the production of natural gas, the average wellhead price of natural gas in the United States is greater than \$4.34 per 1,000 cubic feet. For purposes of the preceding sentence, the Secretary shall determine average prices, taking into consideration the most recent data reported by the Energy Information Administration. For taxable years beginning after December 31, 2007, each dollar amount specified in this subparagraph shall be adjusted to reflect changes for the 12-month period ending the preceding September 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

“(B) **MAJOR INTEGRATED OIL COMPANY.**—For purposes of this paragraph, the term ‘major integrated oil company’ means, with respect to any taxable year, a producer of crude oil—

“(i) which has an average daily worldwide production of crude oil of at least 500,000 barrels for the taxable year,

“(ii) which had gross receipts in excess of \$1,000,000,000 for its last taxable year ending during calendar year 2005, and

“(iii) to whom subsection (c) of section 613A does not apply by reason of paragraph (4) of section 613A(d), determined—

“(I) by substituting ‘15 percent’ for ‘5 percent’ each place it occurs in paragraph (3) of section 613A(d), and

“(II) without regard to whether subsection (c) of section 613A does not apply by reason of paragraph (2) of section 613A(d).

For purposes of subparagraphs (A) and (B), all persons treated as a single employer under subsections (a) and (b) of section 52 shall be treated as 1 person and, in case of a short taxable year, the rule under section 448(c)(3)(B) shall apply.”

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on and after the date of the enactment of this Act.

SEC. 206. REVALUATION OF LIFO INVENTORIES OF MAJOR INTEGRATED OIL COMPANIES.

(a) **GENERAL RULE.**—Notwithstanding any other provision of law, if a taxpayer is a major integrated oil company for its last taxable year ending in calendar year 2005, the taxpayer shall—

(1) increase, effective as of the close of such taxable year, the value of each historic LIFO layer of inventories of crude oil, natural gas, or any other petroleum product (within the meaning of section 4611) by the layer adjustment amount, and

(2) decrease its cost of goods sold for such taxable year by the aggregate amount of the increases under paragraph (1). If the aggregate amount of the increases under paragraph (1) exceed the taxpayer's cost of goods sold for such taxable year, the taxpayer's gross income for such taxable year shall be increased by the amount of such excess.

(b) LAYER ADJUSTMENT AMOUNT.—For purposes of this section—

(1) IN GENERAL.—The term “layer adjustment amount” means, with respect to any historic LIFO layer, the product of—

(A) \$18.75, and

(B) the number of barrels of crude oil (or in the case of natural gas or other petroleum products, the number of barrel-of-oil equivalents) represented by the layer.

(2) BARREL-OF-OIL EQUIVALENT.—The term “barrel-of-oil equivalent” has the meaning given such term by section 29(d)(5) (as in effect before its redesignation by the Energy Tax Incentives Act of 2005).

(c) APPLICATION OF REQUIREMENT.—

(1) NO CHANGE IN METHOD OF ACCOUNTING.—Any adjustment required by this section shall not be treated as a change in method of accounting.

(2) UNDERPAYMENTS OF ESTIMATED TAX.—No addition to the tax shall be made under section 6655 of the Internal Revenue Code of 1986 (relating to failure by corporation to pay estimated tax) with respect to any underpayment of an installment required to be paid with respect to the taxable year described in subsection (a) to the extent such underpayment was created or increased by this section.

(d) MAJOR INTEGRATED OIL COMPANY.—For purposes of this section, the term “major integrated oil company” has the meaning given such term by section 43(f)(2) of the Internal Revenue Code of 1986.

SEC. 207. MODIFICATIONS OF FOREIGN TAX CREDIT RULES APPLICABLE TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.

(a) IN GENERAL.—Section 901 of the Internal Revenue Code of 1986 (relating to credit for taxes of foreign countries and of possessions of the United States) is amended by redesignating subsection (m) as (n) and by inserting after subsection (l) the following new subsection:

“(m) SPECIAL RULES RELATING TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.—

“(1) GENERAL RULE.—Notwithstanding any other provision of this chapter, any amount paid or accrued by a dual capacity taxpayer which is a major integrated oil company to a foreign country or possession of the United States for any period shall not be considered a tax—

“(A) if, for such period, the foreign country or possession does not impose a generally applicable income tax, or

“(B) to the extent such amount exceeds the amount (determined in accordance with regulations) which—

“(i) is paid by such dual capacity taxpayer pursuant to the generally applicable income tax imposed by the country or possession, or

“(ii) would be paid if the generally applicable income tax imposed by the country or possession were applicable to such dual capacity taxpayer.

Nothing in this paragraph shall be construed to imply the proper treatment of any such amount not in excess of the amount determined under subparagraph (B).

“(2) DUAL CAPACITY TAXPAYER.—For purposes of this subsection, the term ‘dual capacity taxpayer’ means, with respect to any foreign country or possession of the United States, a person who—

“(A) is subject to a levy of such country or possession, and

“(B) receives (or will receive) directly or indirectly a specific economic benefit (as determined in accordance with regulations) from such country or possession.

“(3) GENERALLY APPLICABLE INCOME TAX.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘generally applicable income tax’ means an income tax (or a series of income taxes) which is generally imposed under the laws of a foreign country or possession on income derived from the conduct of a trade or business within such country or possession.

“(B) EXCEPTIONS.—Such term shall not include a tax unless it has substantial application, by its terms and in practice, to—

“(i) persons who are not dual capacity taxpayers, and

“(ii) persons who are citizens or residents of the foreign country or possession.

“(4) MAJOR INTEGRATED OIL COMPANY.—For purposes of this subsection, the term ‘major integrated oil company’ has the meaning given such term by section 43(f)(2).”

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxes paid or accrued in taxable years beginning after the date of the enactment of this Act.

(2) CONTRARY TREATY OBLIGATIONS UPHOLD.—The amendments made by this section shall not apply to the extent contrary to any treaty obligation of the United States.

SEC. 208. DENIAL OF DEDUCTION FOR INCOME ATTRIBUTABLE TO DOMESTIC PRODUCTION OF OIL, NATURAL GAS, OR PRIMARY PRODUCTS THEREOF.

(a) IN GENERAL.—Subparagraph (B) of section 199(c)(4) of the Internal Revenue Code of 1986 (relating to exceptions) is amended by striking “or” at the end of clause (ii), by striking the period at the end of clause (iii) and inserting “, or”, and by inserting after clause (iii) the following new clause:

“(iv) in the case of any major integrated oil company (as defined in section 43(f)(2)), the production, refining, processing, transportation, or distribution of oil, natural gas, or any primary product thereof during any taxable year described in section 167(h)(5)(A).”

(b) CONFORMING AMENDMENTS.—Section 199(c)(4) of the Internal Revenue Code of 1986 is amended—

(1) in subparagraph (A)(i)(III) by striking “electricity, natural gas,” and inserting “electricity”, and

(2) in subparagraph (B)(ii) by striking “electricity, natural gas,” and inserting “electricity”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2005.

SEC. 209. RULES RELATING TO FOREIGN OIL AND GAS INCOME.

(a) SEPARATE BASKET FOR FOREIGN TAX CREDIT.—

(1) YEARS BEFORE 2007.—Paragraph (1) of section 904(d) of the Internal Revenue Code of 1986 (relating to separate application of section with respect to certain categories of income), as in effect for years beginning before 2007, is amended by striking “and” at the end of subparagraph (H), by redesignating subparagraph (I) as subparagraph (J), and by inserting after subparagraph (H) the following new subparagraph:

“(I) foreign oil and gas income, and”.

(2) 2007 AND AFTER.—Paragraph (1) of section 904(d) of such Code, as in effect for years beginning after 2006, is amended by striking “and” at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting “, and”, and by adding at the end the following:

“(C) foreign oil and gas income.”.

(b) DEFINITION.—

(1) YEARS BEFORE 2007.—Paragraph (2) of section 904(d) of the Internal Revenue Code of 1986, as in effect for years beginning before 2007, is amended by redesignating subparagraphs (H) and (I) as subparagraphs (I) and (J), respectively, and by inserting after subparagraph (G) the following new subparagraph:

“(H) FOREIGN OIL AND GAS INCOME.—The term ‘foreign oil and gas income’ has the meaning given such term by section 954(g).”.

(2) 2007 AND AFTER.—Section 904(d)(2) of such Code, as in effect for years after 2006, is amended by redesignating subparagraphs (J) and (K) as subparagraphs (K) and (L) and by inserting after subparagraph (I) the following:

“(J) FOREIGN OIL AND GAS INCOME.—For purposes of this section—

“(i) IN GENERAL.—The term ‘foreign oil and gas income’ has the meaning given such term by section 954(g).

“(ii) COORDINATION.—Passive category income and general category income shall not include foreign oil and gas income (as so defined).”.

(c) CONFORMING AMENDMENTS.—

(1) Section 904(d)(3)(F)(i) of the Internal Revenue Code of 1986 is amended by striking “or (E)” and inserting “(E), or (I)”.

(2) Section 907(a) of such Code is hereby repealed.

(3) Section 907(c)(4) of such Code is hereby repealed.

(4) Section 907(f) of such Code is hereby repealed.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

(2) YEARS AFTER 2006.—The amendments made by paragraphs (1)(B) and (2)(B) shall apply to taxable years beginning after December 31, 2006.

(3) TRANSITIONAL RULES.—

(A) SEPARATE BASKET TREATMENT.—Any taxes paid or accrued in a taxable year beginning on or before the date of the enactment of this Act, with respect to income which was described in subparagraph (I) of section 904(d)(1) of such Code (as in effect on the day before the date of the enactment of this Act), shall be treated as taxes paid or accrued with respect to foreign oil and gas income to the extent the taxpayer establishes to the satisfaction of the Secretary of the Treasury that such taxes were paid or accrued with respect to foreign oil and gas income.

(B) CARRYOVERS.—Any unused oil and gas extraction taxes which under section 907(f) of such Code (as so in effect) would have been allowable as a carryover to the taxpayer's first taxable year beginning after the date of the enactment of this Act (without regard to the limitation of paragraph (2) of such section 907(f) for first taxable year) shall be allowed as carryovers under section 904(c) of such Code in the same manner as if such taxes were unused taxes under such section 904(c) with respect to foreign oil and gas extraction income.

(C) LOSSES.—The amendment made by subsection (c)(3) shall not apply to foreign oil and gas extraction losses arising in taxable years beginning on or before the date of the enactment of this Act.

SEC. 210. ELIMINATION OF DEFERRAL FOR FOREIGN OIL AND GAS EXTRACTION INCOME.

(a) GENERAL RULE.—Paragraph (1) of section 954(g) of the Internal Revenue Code of 1986 (defining foreign base company oil related income) is amended to read as follows:

“(1) IN GENERAL.—Except as otherwise provided in this subsection, the term ‘foreign oil and gas income’ means, in the case of any major integrated oil company (as defined in section 43(f)(2)) during any taxable year described in section 167(h)(5)(A), any income of a kind which would be taken into account in determining the amount of—

“(A) foreign oil and gas extraction income (as defined in section 907(c)), or

“(B) foreign oil related income (as defined in section 907(c)).”.

(b) CONFORMING AMENDMENTS.—

(1) Subsections (a)(5), (b)(5), and (b)(6) of section 954, and section 952(c)(1)(B)(ii)(I) of the Internal Revenue Code of 1986, are each amended by striking “base company oil related income” each place it appears (including in the heading of subsection (b)(8)) and inserting “oil and gas income”.

(2) Subsection (b)(4) of section 954 of such Code is amended by striking “base company oil-related income” and inserting “oil and gas income”.

(3) The subsection heading for subsection (g) of section 954 of such Code is amended by striking “FOREIGN BASE COMPANY OIL RELATED INCOME” and inserting “FOREIGN OIL AND GAS INCOME”.

(4) Subparagraph (A) of section 954(g)(2) of such Code is amended by striking “foreign base company oil related income” and inserting “foreign oil and gas income”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of foreign corporations beginning after the date of the enactment of this Act, and to taxable years of United States shareholders ending with or within such taxable years of foreign corporations.

TITLE III—EXPANDING ENERGY EFFICIENCY

SEC. 301. EXTENSION OF ENERGY EFFICIENT COMMERCIAL BUILDINGS DEDUCTION.

Section 179D(h) of the Internal Revenue Code of 1986 (relating to termination) is amended by striking “2007” and inserting “2014”.

SEC. 302. EXTENSION AND EXPANSION OF NEW ENERGY EFFICIENT HOME CREDIT.

(a) EXTENSION.—Section 45L(g) of the Internal Revenue Code of 1986 (relating to termination) is amended by striking “2007” and inserting “2014”.

(b) INCLUSION OF 30 PERCENT HOMES.—

(1) IN GENERAL.—Section 45L(c) of the Internal Revenue Code of 1986 (relating to energy saving requirements) is amended—

(A) by striking “or” at the end of paragraph (2);

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following new paragraph:

“(3) certified—

“(A) to have a level of annual heating and cooling energy consumption which is at least 30 percent below the annual level described in paragraph (1), and

“(B) to have building envelope component improvements account for at least 1/3 of such 30 percent, or.”.

(2) APPLICABLE AMOUNT OF CREDIT.—Section 45L(a)(2) is amended by striking “paragraph (3)” and inserting “paragraph (3) or (4)”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to qualified new energy efficient homes acquired after the date of the enactment of this Act.

SEC. 303. EXTENSION OF NONBUSINESS ENERGY PROPERTY CREDIT.

Section 25C(g) of the Internal Revenue Code of 1986 (relating to termination) is amended by striking “2007” and inserting “2014”.

SEC. 304. EXTENSION AND MODIFICATION OF RESIDENTIAL ENERGY EFFICIENT PROPERTY CREDIT.

(a) EXTENSION.—Section 25D(g) of the Internal Revenue Code of 1986 (relating to termination) is amended by striking “2007” and inserting “2014”.

(b) MODIFICATION OF MAXIMUM CREDIT.—Paragraph (1) of section 25D(b) of the Internal Revenue Code of 1986 (relating to limitations) is amended to read as follows:

“(1) MAXIMUM CREDIT.—The credit allowed under subsection (a) for any taxable year shall not exceed—

“(A) \$1,000 with respect to each half kilowatt of capacity of qualified photovoltaic property for which qualified photovoltaic property expenditures are made,

“(B) \$2,000 with respect to any qualified solar water heating property expenditures, and

“(C) \$500 with respect to each half kilowatt of capacity of qualified fuel cell property (as defined in section 48(c)(1)) for which qualified fuel cell property expenditures are made.”.

(c) CREDIT ALLOWED AGAINST ALTERNATIVE MINIMUM TAX.—

(1) IN GENERAL.—Section 25D(b) of the Internal Revenue Code of 1986 (as amended by subsection (b)) is amended by adding at the end the following new paragraph:

“(3) CREDIT ALLOWED AGAINST ALTERNATIVE MINIMUM TAX.—The credit allowed under subsection (a) for the taxable year shall not exceed the excess of—

“(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

“(B) the sum of the credits allowable under subpart A of part IV of subchapter A and section 27 for the taxable year.”.

(2) CONFORMING AMENDMENT.—Subsection (c) of section 25D of such Code is amended to read as follows:

“(c) CARRYFORWARD OF UNUSED CREDIT.—If the credit allowable under subsection (a) for any taxable year exceeds the limitation imposed by subsection (b)(3) for such taxable year, such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such succeeding taxable year.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2005.

SEC. 305. ENERGY CREDIT FOR COMBINED HEAT AND POWER SYSTEM PROPERTY.

(a) In general.—Section 48(a)(3)(A) of the Internal Revenue Code of 1986 (defining energy property) is by striking “or” at the end of clause (iii), by inserting “or” at the end of clause (iv), and by adding at the end the following new clause:

“(v) combined heat and power system property.”.

(b) COMBINED HEAT AND POWER SYSTEM PROPERTY.—Section 48 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(d) COMBINED HEAT AND POWER SYSTEM PROPERTY.—For purposes of subsection (a)(3)(A)(v)—

“(1) COMBINED HEAT AND POWER SYSTEM PROPERTY.—The term ‘combined heat and power system property’ means property comprising a system—

“(A) which uses the same energy source for the simultaneous or sequential generation of electrical power, mechanical shaft power, or both, in combination with the generation of steam or other forms of useful thermal energy (including heating and cooling applications),

“(B) which has an electrical capacity of not more than 15 megawatts or a mechanical energy capacity of not more than 2,000 horsepower or an equivalent combination of electrical and mechanical energy capacities,

“(C) which produces—

“(i) at least 20 percent of its total useful energy in the form of thermal energy which is not used to produce electrical or mechanical power (or combination thereof), and

“(ii) at least 20 percent of its total useful energy in the form of electrical or mechanical power (or combination thereof),

“(D) the energy efficiency percentage of which exceeds 60 percent, and

“(E) which is placed in service before January 1, 2015.

“(2) SPECIAL RULES.—

“(A) ENERGY EFFICIENCY PERCENTAGE.—For purposes of this subsection, the energy efficiency percentage of a system is the fraction—

“(i) the numerator of which is the total useful electrical, thermal, and mechanical power produced by the system at normal operating rates, and expected to be consumed in its normal application, and

“(ii) the denominator of which is the higher heating value of the primary fuel sources for the system.

“(B) DETERMINATIONS MADE ON BTU BASIS.—The energy efficiency percentage and the percentages under paragraph (1)(C) shall be determined on a Btu basis.

“(C) INPUT AND OUTPUT PROPERTY NOT INCLUDED.—The term ‘combined heat and power system property’ does not include property used to transport the energy source to the facility or to distribute energy produced by the facility.

“(D) CERTAIN EXCEPTION NOT TO APPLY.—The first sentence of the matter in subsection (a)(3) which follows subparagraph (D) thereof shall not apply to combined heat and power system property.

“(3) SYSTEMS USING BAGASSE.—If a system is designed to use bagasse for at least 90 percent of the energy source—

“(A) paragraph (1)(D) shall not apply, but

“(B) the amount of credit determined under subsection (a) with respect to such system shall not exceed the amount which bears the same ratio to such amount of credit (determined without regard to this paragraph) as the energy efficiency percentage of such system bears to 60 percent.

“(4) NONAPPLICATION OF CERTAIN RULES.—For purposes of determining if the term ‘combined heat and power system property’ includes technologies which generate electricity or mechanical power using back-pressure steam turbines in place of existing pressure-reducing valves or which make use of waste heat from industrial processes such as by using organic rankin, stirling, or kalina heat engine systems, paragraph (1) shall be applied without regard to subparagraphs (C) and (D) thereof.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to periods after December 31, 2005, in taxable years ending after such date, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

SEC. 306. THREE-YEAR APPLICABLE RECOVERY PERIOD FOR DEPRECIATION OF QUALIFIED ENERGY MANAGEMENT.

(a) IN GENERAL.—Section 168(e)(3)(A) of the Internal Revenue Code of 1986 (defining 3-year property) is amended by striking “and” at the end of clause (ii), by striking the period at the end of clause (iii) and inserting “, and,” and by adding at the end the following new clause:

“(iv) any qualified energy management device.”.

(b) DEFINITION OF QUALIFIED ENERGY MANAGEMENT DEVICE.—Section 168(i) of the Internal Revenue Code of 1986 (relating to definitions and special rules) is amended by inserting at the end the following new paragraph:

“(18) QUALIFIED ENERGY MANAGEMENT DEVICE.—

“(A) IN GENERAL.—The term ‘qualified energy management device’ means any energy management device which is placed in service before January 1, 2015, by a taxpayer who is a supplier of electric energy or a provider of electric energy services.

“(B) ENERGY MANAGEMENT DEVICE.—For purposes of subparagraph (A), the term ‘energy management device’ means any meter or metering device which is used by the taxpayer—

“(i) to measure and record electricity usage data on a time-differentiated basis in at least 4 separate time segments per day, and

“(ii) to provide such data on at least a monthly basis to both consumers and the taxpayer.”.

(C) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act, in taxable years ending after such date.

SEC. 307. THREE-YEAR APPLICABLE RECOVERY PERIOD FOR DEPRECIATION OF QUALIFIED WATER SUBMETERING DEVICES.

(a) IN GENERAL.—Section 168(e)(3)(A) of the Internal Revenue Code of 1986 (defining 3-year property), as amended by section 306, is amended by striking “and” at the end of clause (iii), by striking the period at the end of clause (iv) and inserting “, and,” and by adding at the end the following new clause: “(v) any qualified water submetering device.”.

(b) DEFINITION OF QUALIFIED WATER SUBMETERING DEVICE.—Section 168(i) of the Internal Revenue Code of 1986 (relating to definitions and special rules), as amended by section 306, is amended by inserting at the end the following new paragraph:

“(19) QUALIFIED WATER SUBMETERING DEVICE.—

“(A) IN GENERAL.—The term ‘qualified water submetering device’ means any water submetering device which is placed in service before January 1, 2015, by a taxpayer who is an eligible resupplier with respect to the unit for which the device is placed in service.

“(B) WATER SUBMETERING DEVICE.—For purposes of this paragraph, the term ‘water submetering device’ means any submetering device which is used by the taxpayer—

“(i) to measure and record water usage data, and

“(ii) to provide such data on at least a monthly basis to both consumers and the taxpayer.

“(C) ELIGIBLE RESUPPLIER.—For purposes of subparagraph (A), the term ‘eligible resupplier’ means any taxpayer who purchases and installs qualified water submetering devices in every unit in any multi-unit property.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act, in taxable years ending after such date.

SA 4733. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. DEPLOYMENT OF NEW TECHNOLOGIES TO REDUCE OIL USE IN TRANSPORTATION.

(a) FUEL FROM CELLULOSIC BIOMASS.—

(1) IN GENERAL.—The Secretary of Energy shall provide deployment incentives under this subsection to encourage a variety of projects to produce transportation fuel from cellulosic biomass, relying on different feedstocks in different regions of the United States.

(2) PROJECT ELIGIBILITY.—Incentives under this subsection shall be provided on a competitive basis to projects that produce fuel that—

(A) meet United States fuel and emission specifications;

(B) help diversify domestic transportation energy supplies; and

(C) improve or maintain air, water, soil, and habitat quality.

(3) INCENTIVES.—Incentives under this subsection may consist of—

(A) loan guarantees under section 1510 of the Energy Policy Act of 2005 (42 U.S.C. 16501), subject to section 1702 of that Act (22 U.S.C. 16512), for the construction of production facilities and supporting infrastructure; or

(B) production payments through a reverse auction in accordance with paragraph (4).

(4) REVERSE AUCTION.—

(A) IN GENERAL.—In providing incentives under this subsection, the Secretary of Energy shall—

(i) issue regulations under which producers of fuel from cellulosic biomass may bid for production payments under paragraph (3)(B); and

(ii) solicit bids from producers of different classes of transportation fuel, as the Secretary of Energy determines to be appropriate.

(B) REQUIREMENT.—The rules under subparagraph (A) shall require that incentives be provided to the producers that submit the lowest bid (in terms of cents per gallon) for each class of transportation fuel from which the Secretary of Energy solicits a bid.

(b) ADVANCED TECHNOLOGY VEHICLES MANUFACTURING INCENTIVE PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ADJUSTED FUEL ECONOMY.—The term “adjusted fuel economy” means the average fuel economy of a manufacturer for all light duty motor vehicles produced by the manufacturer, adjusted such that the fuel economy of each vehicle that qualifies for a credit shall be considered to be equal to the average fuel economy for the weight class of the vehicle for model year 2002.

(B) ADVANCED LEAN BURN TECHNOLOGY MOTOR VEHICLE.—The term “advanced lean burn technology motor vehicle” means a passenger automobile or a light truck with an internal combustion engine that—

(i) is designed to operate primarily using more air than is necessary for complete combustion of the fuel;

(ii) incorporates direct injection; and

(iii) achieves at least 125 percent of the city fuel economy of vehicles in the same size class as the vehicle for model year 2002.

(C) ADVANCED TECHNOLOGY VEHICLE.—The term “advanced technology vehicle” means a light duty motor vehicle that—

(i) is a hybrid motor vehicle or an advanced lean burn technology motor vehicle; and

(ii) meets—

(I) the Bin 5 Tier II emission standard established in regulations issued by the Administrator of the Environmental Protection Agency under section 202(i) of the Clean Air Act (42 U.S.C. 7521(i)), or a lower-numbered Bin emission standard;

(II) any new emission standard for fine particulate matter prescribed by the Administrator under that Act (42 U.S.C. 7401 et seq.); and

(III) at least 125 percent of the base year city fuel economy for the weight class of the vehicle.

(D) ENGINEERING INTEGRATION COSTS.—The term “engineering integration costs” includes the cost of engineering tasks relating to—

(i) incorporating qualifying components into the design of advanced technology vehicles; and

(ii) designing new tooling and equipment for production facilities that produce qualifying components or advanced technology vehicles.

(E) HYBRID MOTOR VEHICLE.—The term “hybrid motor vehicle” means a motor vehicle that draws propulsion energy from onboard sources of stored energy that are—

(i) an internal combustion or heat engine using combustible fuel; and

(ii) a rechargeable energy storage system.

(F) QUALIFYING COMPONENTS.—The term “qualifying components” means components that the Secretary of Energy determines to be—

(i) specially designed for advanced technology vehicles; and

(ii) installed for the purpose of meeting the performance requirements of advanced technology vehicles.

(2) MANUFACTURER FACILITY CONVERSION AWARDS.—The Secretary of Energy shall provide facility conversion funding awards under this subsection to automobile manufacturers and component suppliers to pay not more than 30 percent of the cost of—

(A) reequipping or expanding an existing manufacturing facility in the United States to produce—

(i) qualifying advanced technology vehicles; or

(ii) qualifying components; and

(B) engineering integration performed in the United States of qualifying vehicles and qualifying components.

(3) PERIOD OF AVAILABILITY.—An award under paragraph (2) shall apply to—

(A) facilities and equipment placed in service before December 30, 2017; and

(B) engineering integration costs incurred during the period beginning on the date of enactment of this Act and ending on December 30, 2017.

(4) IMPROVEMENT.—The Secretary of Energy shall issue regulations that require that, in order for an automobile manufacturer to be eligible for an award under this subsection during a particular year, the adjusted average fuel economy of the manufacturer for light duty vehicles produced by the manufacturer during the most recent year for which data are available shall be not less than the average fuel economy for all light duty motor vehicles of the manufacturer for model year 2002.

SA 4734. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Finding—

(1) While Americans are forced to pay over \$3.00 per gallon of gasoline, and the minimum wage has been stuck at \$5.15 an hour for the last nine years, former Exxon Mobil CEO Lee R. Raymond was provided with a golden parachute from his former company totaling \$398 million.

SA 4734. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

Amend the title so as to read: "Lee R. Raymond Oil Profitability Act."

SA 4736. Mr. BIDEN submitted an amendment intended to be proposed to amendment SA 4713 proposed by Mr. FRIST to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPEAL OF 2005 ENERGY ACT FOSSIL FUEL ENERGY TAX INCENTIVES.

(a) REPEAL.—The provisions of, and the amendments made by, subtitle B of title XIII of the Energy Policy Act of 2005 are repealed and the Internal Revenue Code of 1986 shall be applied and administered as if such provisions and amendments had never been enacted.

(b) EFFECTIVE DATE.—This section shall take effect as if the provisions described in subsection (a) had never been included in the Energy Policy Act of 2005.

SA 4737. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. RENEWABLE FUELS PROMOTION.

(a) PROHIBITION ON RESTRICTION OF INSTALLATION OF RENEWABLE FUEL PUMPS.—

(1) IN GENERAL.—Title I of the Petroleum Marketing Practices Act (15 U.S.C. 2801 et seq.) is amended by adding at the end the following:

"SEC. 107. PROHIBITION ON RESTRICTION OF INSTALLATION OF RENEWABLE FUEL PUMPS.

"(a) DEFINITION OF FRANCHISE-RELATED DOCUMENT.—In this section, the term 'franchise-related document' means—

"(1) a franchise under this Act; and
 "(2) any other contract or directive of a franchisor relating to terms or conditions of the sale of fuel by a franchisee.

"(b) PROHIBITIONS.—

"(1) IN GENERAL.—Notwithstanding any provision of a franchise-related document in effect on the date of enactment of this section, no franchisee or affiliate of a franchisee shall be restricted from—

"(A) installing on the marketing premises of the franchisee a renewable fuel pump;

"(B) converting an existing tank and pump on the marketing premises of the franchisee for renewable fuel use;

"(C) advertising (including through the use of signage or logos) the sale of any renewable fuel; or

"(D) selling renewable fuel in any specified area on the marketing premises of the franchisee (including any area in which a name or logo of a franchisor or any other entity appears).

"(2) ENFORCEMENT.—Any restriction described in paragraph (1) that is contained in a franchise-related document and in effect on the date of enactment of this section—

"(A) shall be considered to be null and void as of that date; and

"(B) shall not be enforced under section 105.

"(c) EXCEPTION TO 3-GRADE REQUIREMENT.—No franchise-related document that requires that 3 grades of gasoline be sold by the applicable franchisee shall prevent the franchisee from selling a renewable fuel in lieu of 1 grade of gasoline."

(2) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—Section 101(13) of the Petroleum Marketing Practices Act (15 U.S.C. 2801(13)) is amended by adjusting the indentation of subparagraph (C) appropriately.

(B) TABLE OF CONTENTS.—The table of contents of the Petroleum Marketing Practices Act (15 U.S.C. 2801 note) is amended—

(i) by inserting after the item relating to section 106 the following:

"Sec. 107. Prohibition on restriction of installation of renewable fuel pumps."

and

(ii) by striking the item relating to section 202 and inserting the following:

"Sec. 202. Automotive fuel rating testing and disclosure requirements."

(b) REFUELING.—The Energy Policy Act of 1992 is amended by inserting after section 304 (42 U.S.C. 13213) the following:

"SEC. 304A. FEDERAL FLEET FUELING CENTERS.

"(a) IN GENERAL.—Not later than January 1, 2008, the appropriate Federal agency shall install not less than 1 renewable fuel pump at every Federal fleet fueling center in the United States.

"(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section."

(c) REPORT.—Not later than October 31 of each year beginning after the date of enactment of this Act, the President shall submit to Congress a report that describes the progress of the agencies of the Federal government (including the Executive Office of the President) in complying with—

(1) the Energy Policy Act of 1992 (42 U.S.C. 13201 et seq.);

(2) Executive Order 13149 (65 Fed. Reg. 24595; relating to greening the government through Federal fleet and transportation efficiency); and

(3) the Federal fleet fueling center requirement under section 304A of the Energy Policy Act of 1992 (as added by subsection (b)).

SA 4738. Mr. KYL (for himself and Mr. DEWINE) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ROYALTY RELIEF FOR PRODUCTION OF OIL AND GAS.

(a) PRICE THRESHOLDS.—Notwithstanding any other provision of law, the Secretary shall place limitations based on market

price on the royalty relief granted under any lease for the production of oil or natural gas on Federal land (including submerged land) entered into by the Secretary on or after the date of enactment of this Act.

(b) CLARIFICATION OF AUTHORITY TO IMPOSE PRICE THRESHOLDS FOR CERTAIN LEASE SALES.—Congress reaffirms the authority of the Secretary under section 8(a)(1)(H) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(1)(H)) to vary, based on the price of production from a lease, the suspension of royalties under any lease subject to section 304 of the Outer Continental Shelf Deep Water Royalty Relief Act (Public Law 104-58; 43 U.S.C. 1337 note).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DeMINT. Mr. President, I ask unanimous consent that the Subcommittee on Forestry, Conservation, and Rural Revitalization of the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a hearing during the session of the Senate on July 27, 2006, at 10 a.m. in SR-328A, Russell Senate Office Building. The purpose of this subcommittee hearing will be to conduct an oversight hearing on the U.S. Department of Agriculture use of technical service providers.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. DeMINT. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 27, 2006, at 10 a.m., in open session to consider the following nomination: Lieutenant General James T. Conway, USMC, for appointment to the grade of General and to be Commandant of the Marine Corps.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DeMINT. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation meet to consider the following nominations on Thursday, July 27, 2006, at 11 a.m.:

Charles Nottingham to be a Member of the Surface Transportation Board; Robert Sumwalt to be a Member of the National Transportation Safety Board; Nathaniel Wienecke to be Assistant Secretary for Legislative and Intergovernmental Affairs, Department of Commerce; Jay Cohen to be Under Secretary for Science and Technology, Department of Homeland Security; and Sean Connaughton to be Administrator of the Maritime Administration, Department of Transportation.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. DeMINT. Mr. President, I ask unanimous consent that on Thursday, July 27th, 2006, at 9:30 a.m. the Committee on Environment and Public

Works be authorized to hold a hearing to discuss the Stafford Act: A Path Forward for the Nation's Emergency Preparedness and Response System.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Thursday, July 27, 2006, at 10 a.m. in 215 Dirksen Senate Office Building, to review and make recommendations on proposed legislation implementing the U.S.-Peru Trade Promotion Agreement, and to consider favorably reporting S. 3495, to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, July 27, 2006, at 9:30 a.m. to hold a nominations hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, July 27, 2006, at 2:30 p.m. to hold a nominations hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Thursday, July 27, 2006, at 10 a.m. in SD-430.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Thursday, July 27, 2006, at 10 a.m. for a business meeting to consider pending committee business.

Agenda

Legislation

1. S. 2590, Federal Funding Accountability and Transparency Act of 2006;

2. S. , Post-Katrina Emergency Management Reform Act of 2006;

3. S. 1838, Federal and District of Columbia Government Real Property Act of 2005;

4. S. 3492, Federal Workforce Performance Appraisal and Management Improvement Act of 2006;

5. S. 3584, Federal Supervisor Training Act of 2006.

Post Office Naming Bills

1. S. 3613, to designate the facility of the USPS located at 2951 New York Highway 43 in Averill Park, New York, as the "Major George Quamo Post Office Building;"

2. H.R. 4246, to designate the facility of the USPS located at 8135 Forest Lane in Dallas, Texas, as the "Dr. Robert E. Price Post Office Building;"

3. H.R. 5104, to designate the facility of the USPS located at 1750 16th Street South in St. Petersburg, Florida, as the "Morris W. Milton Post Office;"

4. H.R. 5169, to designate the facility of the USPS located at 1310 Highway 64 NW in Ramsey, Indiana, as the "Wilfred Edward 'Cousin Willie' Sieg, Sr. Post Office;"

5. H.R. 5540, to designate the facility of the USPS located at 217 Southeast 2nd Street in Dimmitt, Texas, as the "Sergeant Jacob Dan Dones Post Office."

Post Office Naming Bills—Tentative

1. H.R. 4646, to designate the facility of the U.S. Postal Service located at 7320 Reseda Boulevard in Reseda, California, as the "Coach John Wooden Post Office Building;"

2. S. 2555, to designate the facility of the U.S. Postal Service located at 2633 11th Street in Rock Island, Illinois, as the "Lane Evans Post Office Building;"

3. S. 2719/H.R. 5107, to designate the facility of the U.S. Postal Service located at 1400 West Jordan Street in Pensacola, Florida, as the "Earl D. Hutto Post Office Building."

Nominations

1. Paul A. Denett to be Administrator for Federal Procurement Policy, Office of Management and Budget;

2. The Honorable Anna Blackburne-Rigsby to be Associate Judge, District of Columbia Court of Appeals;

3. Phyllis D. Thompson to be Associate Judge, District of Columbia Court of Appeals;

4. Jennifer M. Anderson to be Associate Judge, Superior Court of the District of Columbia;

5. The Honorable Mickey D. Barnett to be Governor, U.S. Postal Service;

6. Katherine C. Tobin to be Governor, U.S. Postal Service;

7. Ellen C. Williams to be Governor, U.S. Postal Service.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, July 27, 2006, at 10:45 a.m. in Senate Dirksen Building Room 226.

Tentative Agenda

I. Nominations

Kimberly Ann Moore, to be U.S. Circuit Judge for the Federal Circuit; Frances M. Tydingco-Gatewood, to be Judge for the District Court of Guam; Steven G. Bradbury, to be an Assistant

Attorney General for the Office of Legal Counsel; R. Alexander Acosta, to be U.S. Attorney for the Southern District of Florida.

II. Bills

S. 2453, National Security Surveillance Act of 2006, Specter;

S. 2455, Terrorist Surveillance Act of 2006, DeWine, Graham;

S. 2468, A bill to provide standing for civil actions for declaratory and injunctive relief to persons who refrain from electronic communications through fear of being subject to warrantless electronic surveillance for foreign intelligence purposes, and for other purposes, Schumer;

S. 3001, Foreign Intelligence Surveillance Improvement and Enhancement Act of 2006, Specter, Feinstein;

S. 2831, Free Flow of Information Act of 2006, Lugar, Specter, Graham, Schumer, Biden, Grassley;

S. 155, Gang Prevention and Effective Deterrence Act of 2005, Feinstein, Hatch, Grassley, Cornyn, Kyl, Specter;

S. 1845, Circuit Court of Appeals Restructuring and Modernization Act of 2005, Ensign, Kyl;

S. 2679, Unsolved Civil Rights Crime Act, Talent, DeWine, Cornyn.

III. Matters

Subpoenas Relating to ABA Reports.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate for a markup on "The Small Business Reauthorization and Improvements Act of 2006," on Thursday, July 27, 2006, beginning at 10 a.m., in room 428A of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Thursday, July 27, 2006, to hold a hearing to consider the nominations of Patrick W. Dunne to be Assistant Secretary for Policy & Planning and Thomas E. Harvey to be Assistant Secretary for Congressional Affairs, Department of Veterans' Affairs. The hearing will take place in room 418 of the Russell Senate Office Building at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Thursday, July 27, 2006, to hold a markup to consider the nominations of Patrick W. Dunne to be Assistant Secretary for Policy & Planning and Thomas E. Harvey to be Assistant

Secretary for Congressional Affairs, Department of Veterans' Affairs.

The meeting will take place in the Reception Room off the Senate floor in the Capitol following the first rollcall of the Senate after 1 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. DEMINT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 27, 2006, at 2:30 p.m., to hold a closed meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. DEMINT. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet tomorrow, July 27, 2006, from 10 a.m.–1 p.m. in Dirksen 106 for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, AND INTERNATIONAL SECURITY

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, and International Security be authorized to meet on Thursday, July 27, 2006, at 2:30 p.m., for a hearing regarding "Responsible Resource Management at the Nation's Health Access Agency".

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY, AND HOMELAND SECURITY

Mr. DEMINT. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Terrorism, Technology and Homeland Security be authorized to meet to conduct a hearing on "Detecting Smuggled Nuclear Weapons" on Thursday, July 27, 2006, at 2:30 p.m. in Dirksen 226. The witness list will be provided when it becomes available.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON WATER AND POWER

Mr. DEMINT. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, July 27, 2006, at 2:30 p.m.

The purpose of the hearing is to receive testimony on S. 3638, to encourage the Secretary of the Interior to participate in projects to plan, design, and construct water supply projects and to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to encourage the design, planning, and construction of projects to treat impaired surface water, reclaim, and reuse impaired groundwater, and provide brine disposal in the State of California; S. 3639, to amend

the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Prado Basin Natural Treatment System Project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, to authorize the Secretary to participate in the Lower Chino Dairy Area Desalination Demonstration and Reclamations Project, and for other purposes; H.R. 2341, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of a project to reclaim and reuse wastewater within and outside of the service area of the City of Austin Water and Wastewater Utility, Texas; and H.R. 3418, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the central Texas water recycling and reuse project, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BINGAMAN. I ask unanimous consent that Ana Romero Jurrison and Lesley Henderson, interns in my office, be permitted privileges of the floor during the consideration of S. 3711.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWBACK. Mr. President, thank you very much. First, I want to do a housekeeping piece of business. I ask unanimous consent that Kristina Rolph, a staffer with the Energy Committee, be granted floor privileges for the consideration of S. 3711.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRYOR. Mr. President, I ask unanimous consent that during the debate on S. 3711, Amy Jasperson and David Mitchell, fellows in the office of Senator BILL NELSON, be granted the privilege of the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING SPELMAN COLLEGE ON ITS 125TH ANNIVERSARY

Mr. ISAKSON. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 541 which was submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 541) congratulating Spelman College upon its 125th anniversary.

There being no objection, the Senate proceeded to consider the resolution.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed

to, and the motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 541) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 541

Whereas, in 1881, Spelman College was established by Sophia B. Packard and Harriet E. Giles, school teachers and Baptist missionaries, in Atlanta, Georgia, for the purpose of educating African-American women and girls;

Whereas as a result of the benevolence of John D. Rockefeller, Sr., and Laura Spelman Rockefeller, the name of the institution was changed from "Atlanta Baptist Female Seminary" to "Spelman Seminary" in honor of the Spelman family;

Whereas the curriculum expanded to include high school and college classes, and the seminary conferred its first high school diplomas in 1887, and its first college degrees in 1901;

Whereas in 1924, Spelman Seminary officially became Spelman College and grew to become a leading undergraduate institution for African-American women;

Whereas Spelman College was ranked among the top 75 Best Liberal Arts Colleges according to U.S. News & World Report, 2005 edition;

Whereas the Association of Medical Colleges ranks Spelman College fifth among undergraduate programs for African-American students accepted to medical school, and Spelman is 1 of 6 institutions designated by the National Science Foundation and the National Aeronautics and Space Administration as a Model Institution for Excellence in undergraduate science and math education;

Whereas Spelman's ninth President, Beverly Daniel Tatum, has initiated a strategic plan for Spelman ("Spelman ALIVE") that includes 5 goals: Academic excellence, Leadership development, Improving the infrastructure, Visibility of accomplishments of the campus community, and Exemplary customer service, all designed to create a vision for Spelman of "Nothing Less Than the Best"; and

Whereas Spelman College has prepared more than 6 generations of African American women to reach the highest levels of academic, community, and professional achievement: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Spelman College on 125th anniversary; and

(2) commends the President of Spelman College, Dr. Beverly Daniel Tatum, and the administration, faculty, staff, students, and alumnae of the College for their outstanding achievements and contribution to African American education, history, and culture.

Mr. ISAKSON. Mr. President, I am pleased to rise today and be joined by my fellow Senator from Georgia, Senator CHAMBLISS, in recognition of the 125th anniversary of Spelman College.

Spelman College is a historically Black college in the State of Georgia and a part of the Atlanta University complex which is the largest consortium of historically Black universities and colleges in the United States of America.

The resolution congratulates the student body, the faculty, the founders, and in particular Dr. Beverly Daniel

Tatum, and the administration, the faculty, and staff of Spelman College.

Spelman College was founded in Atlanta, GA, 1881 by Baptist missionaries and teachers Sophia B. Packard and Harriet E. Giles for the purpose of educating African-American women and girls.

Due to the benevolence of John D. Rockefeller, Sr.—Senator ROCKEFELLER's great-grandfather—and Laura Spelman Rockefeller, the name of the institution was changed from Atlanta Baptist Female Seminary to Spelman Seminary in honor of the Spelman family.

A Rockefeller has since sat on the Spelman College Board of Trustees, including Senator ROCKEFELLER's daughter, Valerie Rockefeller Wayne, who currently sits on the Board of Trustees.

Spelman later expanded its curriculum to include high school and college classes, and conferred its first high school degree in 1887, and its first college degree in 1901.

In 1924 Spelman Seminary became Spelman College and grew to become a leading undergraduate institution for African-American women.

Spelman is ranked among the top 75 best liberal arts college according to U.S. News and World Report, 2005 edition.

The Association of Medical Colleges ranks Spelman fifth among undergraduate programs for African-American students accepted to medical school; and not surprisingly Spelman is one of six institutions designated by the National Science Foundation and NASA as a Model Institution for Excellence in undergraduate science and math.

The resolution also commends Dr. Tatum for her excellent work and vision of the future for the college. It further calls attention to her initiation of a strategic plan for Spelman called "Spelman ALIVE" that includes five goals designated to create a vision of Spelman of academic, community, and professional achievement: academic excellence, leadership development, improving the infrastructure, visibility of accomplishments of the campus community, and exemplary customer service.

It is both an honor and privilege for me today on behalf of the State of Georgia and I think the Senate to unanimously commend Spelman College on its achievement of 125 continuous years of service to African-American women in the United States.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise today to join my friend and colleague, Senator ISAKSON from Georgia, to congratulate Spelman College, the country's oldest historically Black college for women on its 125th anniversary.

Spelman College was established in 1881 by two school teachers and Baptist missionaries, Sophia B. Packard and

Harriet E. Giles, for the purpose of educating African-American women and girls. Located in Atlanta, GA, and started in the basement of the Friendship Baptist Church, the college has come a long way from its beginnings, growing into a 32-acre campus. Spelman is also a member of the largest group of historically black institutions in the world including Morehouse University, the Morehouse School of Medicine, Clark Atlanta University, and the Interdenominational Theological Center.

Spelman has a very diverse student population with 2,100 students from 41 States and 15 foreign countries. In 2005, Spelman ranked among the top 75 liberal arts colleges according to U.S. News & World Report. Eighty-four percent of the faculty at Spelman hold a Ph.D. or higher, and the student teacher ratio is 11 to 1, making Spelman a top choice for African-American women to obtain an undergraduate degree. Many of their students seek advance degrees. In 2000, Spelman ranked second in the country in placing African-American students in medical schools.

The Federal Government has seen the promise that the students and faculty at Spelman possess and, in 2003, the National Institutes of Health National Center for Minority Health and Health Disparities awarded the college a \$4.2 million grant for research to help eliminate health disparities among minority groups. Spelman was one of only six institutions to receive this funding. Also in 2003, National Aeronautics and Space Administration, NASA Awarded the college with a \$4.5 million grant to enhance its Women in Science and Engineering, WISE, scholars program.

Spelman College also realizes the need to give back to the African-American community. With the help of Federal funding, the school created the Spelman College Health and Wellness Initiative. This program is helping to gain a better understanding of the many factors that impact the health of young African-American women. The Health and Wellness Initiative is also helping to create preventive strategies for the unique circumstances that apply to all African-American women. These strategies are currently being developed and used to prevent cancer, cardiovascular diseases, diabetes, and HIV/AIDS in African-American women.

In 2005, six Spelman women qualified for the International RoboCup 2005 Four-Legged Robot soccer competition in Osaka, Japan. The students created computer programs for the robots to compete in the soccer tournament, requiring the robots play without human intervention. Of the 24 teams that qualified internationally, the SpelBots, as the team is called, were the first and only Historically Black College and University, the only all women institution, and the only United States undergraduate institution to qualify for the tournament. When looking back years from now at historically Black colleges

and robotics research, all searches will lead to Spelman.

Spelman graduates have gone on to be professionals such as doctors, nurses, lawyers, teachers, engineers, and chemists. I want to congratulate Spelman College on their success and developing thousands of young women into strong business and community leaders over the past 125 years.

I would also like to recognize the president of Spelman College, my friend, Dr. Beverly Daniel Tatum, and the administration, faculty, staff, students and alumnae of the college for their leadership, outstanding achievements, and contributions that have made Spelman such a fine institution and a great citizen of our State. It is my most sincere hope that Spelman will continue to thrive and prosper for many years to come.

Mr. ROCKEFELLER. Mr. President, today I rise with my colleagues from Georgia, Mr. ISAKSON and Mr. CHAMBLISS, to congratulate Spelman College on the occasion of its 125th anniversary.

Spelman College, then known as "Atlanta Baptist Female Seminary," was established in 1881 in Atlanta, GA, by Sophia B. Packard and Harriet E. Giles, schoolteachers and Baptist missionaries, who created the school for the purpose of educating African-American women and girls. The institution kindly thanked my great-grandparents John D. Rockefeller, Sr. and Laura Spelman Rockefeller after their donation to the school by changing the school's name to "Spelman Seminary" in honor of the Spelman family in 1924. I am enormously proud that my family has been associated with this school for the last 80-plus years and of the achievements by the school and especially its alumnae. Today, my daughter, Valerie Rockefeller Wayne, serves on the board of trustees and she continues our family's proud connection to this important institution.

The school grew to include high school and college classes and bestowed its first high school diplomas in 1887 and its first college degrees in 1901. The school expanded to become a leading undergraduate institution for African-American women. In the 2005 edition of U.S. News and World Report, Spelman College was ranked among the top 75 best liberal arts colleges. The Association of Medical Colleges ranks Spelman College fifth among undergraduate programs for Black students accepted to medical school and Spelman is one of six institutions designated by the National Science Foundation and the National Aeronautics and Space Administration as a Model Institution for Excellence in undergraduate science and math education.

We commend Spelman's ninth president, Beverly Daniel Tatum, who has initiated a strategic plan for Spelman titled "Spelman ALIVE" that includes five goals: academic excellence, leadership development, improving the infrastructure, visibility of accomplishments of the campus community, and

exemplary customer service, all designed to create a vision for Spelman of "Nothing Less than the Best." For 125 years, Spelman has been at the forefront of education in our Nation, and with this plan I am confident it will continue to grow and thrive.

Spelman College has prepared more than six generations of African-American women to reach the highest levels of academic, community, and professional achievement. My cosponsors Mr. ISAKSON and Mr. CHAMBLISS and I also thank the administration, faculty, staff, students, and alumnae of the college for their outstanding achievements and contribution to African-American education, history, and culture.

SENATE PHOTOGRAPHS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 543, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 543) temporarily suspending the Rules for the Regulation of the Senate Wing of the United States Capitol and Senate Office Buildings for the purpose of permitting the taking of photographs in the area of the Daily Press Gallery.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 543) was agreed to, as follows:

S. RES. 543

Resolved, That—

(1) paragraph 1 of rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol and Senate Office Buildings (prohibiting the taking of pictures in the Senate Chamber) shall be temporarily suspended for the purpose of permitting the taking of photographs in the area of the Daily Press Gallery;

(2) photographs permitted under paragraph (1) may only be taken at a time when the Senate is in recess;

(3) photographs permitted to be taken under paragraph (1) may only be used in relation to United States District Court Civil Action No. 04-0026; and

(4) the Sergeant at Arms of the Senate is authorized and directed to make the necessary arrangements for implementation of paragraph (1), which arrangements shall provide that there will be no disruption to the business of the Senate.

GOVERNMENT OF ROMANIA'S BAN ON INTERCOUNTRY ADOPTIONS AND THE WELFARE OF ORPHANED OR ABANDONED CHILDREN IN ROMANIA

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate

now proceed to the consideration of S. Res. 359.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 359) concerning the Government of Romania's ban on intercountry adoptions and the welfare of orphaned or abandoned children in Romania.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 359) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 359

Whereas following the execution of Romanian President Nicolae Ceausescu in 1989, it was discovered that more than 100,000 underfed, neglected children throughout Romania were living in hundreds of squalid and inhumane institutions;

Whereas citizens of the United States responded to the dire situation of these children with an outpouring of compassion and assistance to improve conditions in those institutions and to provide for the needs of abandoned children in Romania;

Whereas, between 1990 and 2004, citizens of the United States adopted more than 8,200 Romanian children, with a similar response from the citizens of Western Europe;

Whereas the United Nations Children's Fund (UNICEF) reported in March 2005 that more than 9,000 children a year are abandoned in Romania's maternity wards or pediatric hospitals and that child abandonment in Romania in "2003 and 2004 was no different from that occurring 10, 20, or 30 years ago";

Whereas there are approximately 37,000 orphaned or abandoned children in Romania today living in state institutions, an additional 49,000 living in temporary arrangements, such as foster care, and an unknown number of children living on the streets and in maternity and pediatric hospitals;

Whereas, on December 28, 1994, Romania ratified the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption which recognizes that "intercountry adoption may offer the advantage of a permanent family to a child for whom a suitable family cannot be found in his or her State of origin";

Whereas intercountry adoption offers the hope of a permanent family for children who are orphaned or abandoned by their biological parents;

Whereas UNICEF's official position on intercountry adoption, in pertinent part, states: "For children who cannot be raised by their own families, an appropriate alternative family environment should be sought in preference to institutional care, which should be used only as a last resort and as a temporary measure. Inter-country adoption is one of a range of care options which may be open to children, and for individual children who cannot be placed in a permanent family setting in their countries of origin, it may indeed be the best solution. In each case, the best interests of the individual child must be the guiding principal in making a decision regarding adoption.";

Whereas unsubstantiated allegations have been made about the fate of children adopted from Romania and the qualifications and motives of those who adopt internationally;

Whereas in June 2001, the Romanian Adoption Committee imposed a moratorium on intercountry adoption, but continued to accept new intercountry adoption applications and allowed many such applications to be processed under an exception for extraordinary circumstances;

Whereas on June 21, 2004, the Parliament of Romania enacted Law 272/2004 on "the protection and promotion of the rights of the child", which creates new requirements for declaring a child legally available for adoption;

Whereas on June 21, 2004, the Parliament of Romania enacted Law 273/2004 on adoption, which prohibits intercountry adoption except by a child's biological grandparent or grandparents;

Whereas there is no European Union law or regulation restricting intercountry adoptions to biological grandparents or requiring that restrictive laws be passed as a prerequisite for accession to the European Union;

Whereas the number of Romanian children adopted domestically is far less than the number abandoned and has declined further since enactment of Law 272/2004 and 273/2004 due to new, overly burdensome requirements for adoption;

Whereas prior to enactment of Law 273/2004, 211 intercountry adoption cases were pending with the Government of Romania in which children had been matched with adoptive parents in the United States, and approximately 1,500 cases were pending in which children had been matched with prospective parents in Western Europe; and

Whereas the children of Romania, and all children, deserve to be raised in permanent families: Now, therefore, be it

Resolved, That the Senate—

(1) supports the desire of the Government of Romania to improve the standard of care and well-being of children in Romania;

(2) urges the Government of Romania to complete the processing of the intercountry adoption cases which were pending when Law 273/2004 was enacted;

(3) urges the Government of Romania to amend its child welfare and adoption laws to decrease barriers to adoption, both domestic and intercountry, including by allowing intercountry adoption by persons other than biological grandparents;

(4) urges the Secretary of State and the Administrator of the United States Agency for International Development to work collaboratively with the Government of Romania to achieve these ends; and

(5) requests that the European Union and its member states not impede the Government of Romania's efforts to place orphaned or abandoned children in permanent homes in a manner that is consistent with Romania's obligations under the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption.

EXECUTIVE SESSION

MUTUAL LEGAL ASSISTANCE TREATY WITH GERMANY

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following treaty on today's Executive Calendar: No. 13. I further ask unanimous consent that the treaty be considered as having passed through

its various parliamentary stages, up to and including the presentation of the resolution of ratification; that any statements be printed in the CONGRESSIONAL RECORD as if read; and that the Senate proceed to a vote on the resolution of ratification; and further, that when the resolution of ratification is voted on, the motion to reconsider be laid upon the table, the President be notified of the Senate's action, and that following the disposition of the treaty, the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIDEN. Mr. President, I support the Treaty on Mutual Legal Assistance with Germany, a close and trusted partner with the United States on law enforcement matters.

I would like to address one issue that arose during the review of the treaty. Article 12(1) of the treaty provides that "Each Party may at the request of the other Party, within its possibilities and under the conditions prescribed by its domestic law . . . take the necessary steps for the surveillance of telecommunications."

After the revelation last December of the program of warrantless surveillance by the National Security Agency, NSA, the question arose whether the treaty would provide another purported legal authority for the NSA program. My view is that it does not. But the President's lawyers have proffered highly dubious theories for the program, and the Senate should not make assumptions about what the executive branch thinks about a treaty, because ultimately it is the President, not the Senate, who is charged with "faithfully executing" it. So I asked the executive branch its legal view about whether the treaty provides any additional legal authority for electronic surveillance—whether for the NSA program or any other program.

On April 6, 2006, I wrote the Attorney General of the United States to ask him to confirm that the treaty does not authorize warrantless surveillance. On July 3, after nearly 3 months of deliberation, the Department of Justice responded to my letter. Why it took so long to answer this simple question is unclear. But the response itself is clear: the Justice Department letter concludes that the treaty with Germany would "in no way expand current authority under U.S. law to conduct electronic surveillance."

I welcome the Justice Department's response. While I may disagree with the Department about the scope of the current authority under U.S. law to conduct electronic surveillance, I agree with the Department's interpretation that Article 12(1) does not expand that authority.

I urge all Senators to support this treaty.

I ask unanimous consent that both letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC, April 6, 2006.

Hon. ALBERTO R. GONZALES,
Attorney General of the United States,
Washington, DC.

DEAR JUDGE GONZALES: Pending before the Senate is a Treaty on Mutual Legal Assistance in Criminal Matters with Germany (Treaty Doc. 108-27).

Article 12(1) of the Treaty provides that each party may request that the other party, "under the conditions prescribed by its domestic law, take the necessary steps for the surveillance of telecommunications."

I write to request that you confirm that the Treaty does not authorize warrantless surveillance, including any surveillance authorized by the program of surveillance on which you testified before the Committee on the Judiciary on February 6, 2006.

Sincerely,

JOSEPH R. BIDEN, Jr.,
Ranking Minority Member.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington DC, July 3, 2006.

Hon. JOSEPH R. BIDEN, Jr.,
Ranking Minority Member, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR SENATOR BIDEN: This responds to your letter, dated April 6, 2006, to the Attorney General inquiring whether Article 12(1) of the Treaty on Mutual Legal Assistance in Criminal Matters with Germany would authorize warrantless surveillance, including under the Terrorist Surveillance Program described by the President.

By its terms, Article 12 would provide that "[e]ach Party may at the request of the other Party, within its possibilities and under the conditions of its domestic law [(1)] take the necessary steps for the surveillance of telecommunications." (Emphasis added.). Accordingly, the Treaty would not enlarge existing surveillance authorities.

The Terrorist Surveillance Program is a narrowly focused early warning system, targeting for interception only those international communications for which there is probable cause to believe that at least one of the parties to the communication is a member or agent of al Qaeda or an affiliated terrorist organization. It is a critical intelligence tool for protecting the United States from another catastrophic al Qaeda attack in the midst of an armed conflict. It is not a means of collecting information for foreign criminal investigations.

In sum, the MLAT with Germany would in no way expand current authority under U.S. law to conduct electronic surveillance. We hope this information is helpful. Please do not hesitate to contact this office if we may be of assistance with future matters.

Sincerely,

WILLIAM E. MOSCHELLA,
Assistant Attorney General.

Mr. FRIST. Mr. President, I ask for a division vote on the resolution of ratification.

The PRESIDING OFFICER (Mr. ALLEN). A division is requested. Senators in favor of the resolution of ratification will rise and stand until counted.

Those opposed will rise and stand until counted.

On a division, two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification reads as follows:

Resolved (two-thirds of the Senators present concurring therein),

The Senate advised and consents to the ratification of the Treaty between the United States of America and the Federal Republic of Germany on Mutual Legal Assistance in Criminal Matters, signed at Washington on October 14, 2003, and a related exchange of notes (Treaty Doc. 108-27).

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR FRIDAY, JULY 28, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 a.m. on Friday, July 28. I further ask unanimous consent that following the prayer and pledge, the time for the two leaders be reserved, and the Senate proceed to a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, today the Senate continued consideration of S. 3711, the gulf coast Energy bill. This morning we filed cloture on the bill, and that cloture vote will occur at 5:30 p.m. on Monday. I encourage Senators to come to the floor on Friday to speak on the Energy bill.

I notified all Senators actually about a week ago that we would be voting for sure next Monday. Although we are doing our best to accommodate Senators, it is a very important vote, and we will be having it at 5:30 p.m. on Monday. I ask Senators to adjust their schedules so they can be here.

ADAM WALSH BILL

Mr. FRIST. Mr. President, I opened my remarks tonight to say there are a lot of issues being considered. Let me in closing mention a great event we had today for a bill that will get a fair amount of attention—but not the attention it deserves—in affecting people's lives in a very direct way. It is called the Adam Walsh bill, named for a little boy, 6 years of age, who died 25 years ago today.

The bill addresses an issue that has been highlighted a lot, most recently on television, that has to do with sexual predators which had been facilitated a lot by the Internet. This bill establishes two registries. One is for sexual predators. Right now there are about 500,000 we know of in this country; 100,000 we don't know where they are. It establishes a registry across the country, a national registry.

In addition, it will develop a child abuse registry which builds on the recommendations and sponsorship initially of a wonderful nonprofit group

that focuses on the tragedy associated with child abuse, but also more constructively and optimistically about what we need to do. That is called Childhelp, stationed in Arizona. Senator KYL is very familiar with it.

One huge disappointment, though, that occurred this week is that we passed another bill 2 days ago, the Child Custody Protection Act, which focuses on a real tragedy that occurs today, and that is young girls taken, not by their parents, across State lines in order to get an abortion without notifying their parents, flouting the law and not notifying their parents or getting the consent of their parents.

We passed that bill overwhelmingly, with 65 votes, on the floor of the Senate. It passed the House of Representatives months ago, and we are ready to go to conference on that particular bill.

It is very important we go to conference to put an end to this tragedy which occurs all too often in this country. We tried to go to conference. The Democrats on the other side specifically rejected our proposal to go to conference. We put forth a unanimous consent request which was denied, and that is a real tragedy.

I will not proffer that unanimous consent request again right now, but we will be doing so over the coming days. The Democrats have made it very clear that they are going to obstruct the regular order of business in going to conference. I am very disappointed, and I think it is absolutely wrong.

ORDER FOR RECESS

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order, following the remarks of Senator SESSIONS for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

GULF OF MEXICO ENERGY BILL

Mr. SESSIONS. Mr. President, I thank the leader, and I join with him in his excitement in seeing the health care technology bill move. I know how much work he has put into it as a member of the HELP Committee. I have watched that bill for some time, and it would be a tremendous thing. It will save lives and reduce errors. Errors mean people stay in hospitals longer and become disabled more, and many of them die. So reducing errors is a great thing and will help us maintain this fabulous health care system we have, and at the same time, not have costs go through the roof. So I am excited about that also.

Mr. President, I asked the question earlier: What are people objecting to about this Energy bill? We went through the environmental concerns, and I pointed out that we have 4,000 wells which survived some vicious hur-

ricanes, and we haven't had spills. The technology has increased incredibly well. There has not been a significant spill in 26 years, and that one was such that it did not reach the shores of the United States. The last spill that resulted at all from a well impacting the coastal areas was 37 years ago in California, and that ended the drilling off the coast. But we are so much better today. We have so many ways to avoid that, and it is just not happening.

Also, we dealt with the allegation that this is all for big oil companies.

That is exactly wrong.

All of the oil companies will not bid on the lands in the gulf that will be allowed for production under this legislation. Most of them—probably most of them—won't even bid on it. A number will and a number won't. Those who don't bid already have reserves somewhere else, and sizable increases in production of natural gas or oil from the Gulf of Mexico will drive down the value of their reserves. They probably don't even want the oil and gas produced out there, if they already have substantial reserves. That is a bogus argument, the kind that I hope is beyond the Senate. But I hear it is still echoing a bit.

I think some maybe just hate fossil fuels, so they don't want us to have fossil fuels anymore in America. I would like to see us move to nuclear and do some other things, too. Why don't they object to us going down to Venezuela and paying hundreds of millions of dollars to Hugo Chavez for his oil that we bring over here or Saudi Arabia or Iran's oil or Middle Eastern oil in any number of areas or Russian oil and gas. We are not going to stop this. We are going to use oil and gas in America, so why don't we produce it on our lands and keep our money at home.

I would just note that last year, in the balance of payments deficit that we have, the record balance of payments deficit, \$200 billion of that deficit was our money we spent in other countries for oil and gas—\$200 billion. That is a lot. A big part of our trade deficit is on this one resource. So why in the world wouldn't we want to keep that money at home to produce jobs here, to produce incomes to Americans who will pay taxes to the U.S. Government instead of having to go to these other countries.

Oddly, I just have to note parenthetically that we have done something after many years of battling that is important. In the Energy bill we passed last year, we had some improvements in the law relating to nuclear power. Nuclear power can reduce our demands for natural gas significantly. There was a long battle over a number of years. Senator DOMENICI worked on it hard. We made those changes, we put them in the law, and at that time we had not a single preliminary request for building a nuclear power plant in this country. Since that Energy bill passed, there are now 18 out there—18 preliminary requests—to consider building a

nuclear powerplant in America. We haven't built one in 30 years in this country.

What I am saying to the American people who may be listening tonight, and to my colleagues, is that our job is not to help nuclear power companies. Our job is not to help oil companies.

Our job is to try to provide safe and environmentally good energy sources to our people at the lowest possible rate. When the price of gasoline goes up substantially, people who are paying \$150 a month for their gasoline now may be paying \$225 a month. They may be paying \$75 more each month out of their paycheck, money that they want to spend on their children, money they need to repair their vehicle, money they need to pay their rent. People are struggling. We need to be thinking of ways to reduce the cost of energy. Nuclear power is one of those ways.

I have just had a recent meeting with the people at TVA, the Tennessee Valley Authority, created by Government agents, created by Franklin Roosevelt. They are producing nuclear power at about 1.2 cents a kilowatt hour—1.2 cents. Coal is about 1.8 cents. That is 50 percent more expensive. Nuclear power is 50 percent less expensive than coal. And natural gas that is being used quite a bit is about 6 cents—five times as much. So we need more nuclear power and we need to burn a lot less natural gas for electricity and we can burn less coal also because it is not a very clean fuel. We are doing better with coal, but it is still not nearly as clean as nuclear power.

So I say there is a whole host of things we can do to meet the legitimate pleas of our constituents to do something about the high cost of energy.

Natural gas heats a great many homes in America. It provides the energy for all kinds of industrial production. I visited a chemical plant recently. They are exceedingly concerned about the additional costs they have sustained simply as a result of the doubling of the price of natural gas. Trust me. If these wells are producing in the gulf, as will be authorized by this bill, it will significantly impact the price of natural gas in the United States. So that is the kind of approach we are trying to bring to bear on producing more at home.

Then there is one other argument that people have complained about, and that is revenue sharing. They say that States should not get any of the money out of this. We have been trying to expand the gulf drilling for quite a number of years and had no success, really. It is time to get serious about it. I believe we can make a breakthrough this year. We got, now, both Senators from Florida to say they would support this bill. They studied it very carefully, as strongly as Florida is committed to environmental purity along their coast. I respect it, but I am telling you they are very committed to it. They want us to produce our oil and

gas off our coast and put it in that pipeline that runs from Mobile, AL, to Tampa, FL. That is what we are doing right now. They built, in 2002, an oil and gas pipeline right off our coast, and shipped it over there. But they do not want oil drilling 150 miles from their coast.

We are working this out now. We are giving them a guaranteed protection of 125 miles. The Governor, Jeb Bush, is on board now and Senators are on board so maybe we are making progress. I think we have more protection than is justified. But it will allow us, probably, to have as much territory available to drill in as we could drill in for the foreseeable future. So maybe that will be acceptable under all the circumstances.

But they object to revenue sharing so States get a little part of it. One of our Senators, Mr. BINGAMAN from New Mexico, has complained about it. We should not have any revenue sharing.

We had 4,000 wells out there, all these deep gulf wells, and the States don't get a dime out of it—not a dime. But a State like New Mexico that has a lot of oil and gas and a great deal of federally owned lands in those States, what do they get? They get 50 percent of that. This will be just a little over a third; 37 percent would be shared with the coastal States and would be earmarked for coastal funds—12 percent for the Land and Water Conservation Fund nationwide, and 50 percent to the Federal Government. These are moneys, new moneys coming into the Treasury of the United States that do not exist today. Until we get this approval and this moratorium lifted, we are not going to have any money. You know, until we reach accord here and lift this moratorium and allow the drilling to occur, we are not going to have any money.

So it is not a taking from the Treasury of the United States. It is an increase to the Treasury of the United States, and we should see it in that fashion.

The gulf coast has environmental problems of quite a large degree. We had severe hurricane damages on our coast. The whole area—whole areas in Louisiana are sinking, and we will have to spend large amounts of money to deal with that. So there are a lot of things that this money could be used for that benefit, not just the people of those States but all the many hundreds and thousands—millions, really—of visitors that come to the gulf coast areas every year. We will set up estuaries, wetlands, and things that will just make the area better. We would like to do that for the Nation and not just Alabama.

I think the objections are not substantial. I believe it is time for us to complete this step. We are at record prices for oil. How do we get our oil? Sixty percent of it we obtain from foreign sources. So we pay this world price, transferring \$200 billion in American wealth out of our country to those

countries when we could keep it at home by producing large amounts off our gulf coast.

Just to mention those amounts, they are quite huge. It is 1.3 billion barrels of oil that are projected to be in the Gulf of Mexico. That exceeds the proven reserves of Oklahoma and Wyoming combined, two of our largest oil-producing States. There are almost 6 trillion cubic feet of natural gas, enough to heat and cool 6 million homes for 15 years, for example. These supplies are significant enough that they will impact prices. I can't say what the prices will be a few years from now when this oil and gas comes on line, but whatever it is, it will be less if this oil and gas is coming on line than if it is not.

That will redound to the benefit of the American consumers that we represent—the ones who have sent us here and asked us to do something about energy prices. All of us have told them we are going to do something about it. This is one vote about which you can have no doubt. If you vote to produce oil and gas off the coast of America, you will help reduce the price of oil and gas in America. Not only that, you will keep at home billions of dollars that might otherwise be sent to foreign nations, some of which are hostile to us. It is the right thing to do. We need to follow through on it.

I am optimistic more than I have been in quite a number of years. It is particularly thrilling to see Senator MARTINEZ of Florida, who has worked so hard on this issue, and Senator BILL NELSON from Florida, who earlier today said he would support the Senate bill.

So we are moving to make this a reality. It will be a positive step for this country. The only thing we have to fear is there will be some on the other side for what reason I can only imagine who will want to filibuster this legislation. Hopefully that won't happen. I hope not. We need to move it forward and pass it this year.

I thank the Presiding Officer and I yield the floor.

RECESS UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until Friday, 10 a.m., July 28, 2006.

Thereupon, the Senate, at 7:26 p.m., recessed until Friday, July 28, 2006, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate July 27, 2006:

DEPARTMENT OF JUSTICE

DEBORAH JEAN JOHNSON RHODES, OF ALABAMA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF ALABAMA FOR THE TERM OF FOUR YEARS, VICE DAVID PRESTON YORK, RESIGNED.

RODGER A. HEATON, OF ILLINOIS, TO BE UNITED STATES ATTORNEY FOR THE CENTRAL DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE JAN PAUL MILLER, RESIGNED.

PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR COMPONENT OF THE PUBLIC

HEALTH SERVICE SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW AND REGULATIONS:

To be senior surgeon

JUDITH LOUISE BADER
VICTOR M. CACERES
MICHAEL A. CAROME
DAVID K. ESPEY
WALTER G. HLADY
ROLAND HOWARD LAMKIN
ANTHONY W. MOUNTS
BRENT PENNINGTON
DOUGLAS B. TROUT

To be surgeon

TECORA DENEICE BALLOM
STEPHANIE ROSE BIALEK
MARIA VICTORIA CANO
SCOTT K. FRIDKIN
DAVID M. FRUCHT
DAVID PHILIP GOLDMAN
JAMES P. HENDRICKS
JOHN K. ISKANDER
CHARLES EDWARD LEE
MICHAEL TIMOTHY MARTIN
CATHERINE ANNA MCLEAN
JONATHAN H. MERMIN
LORI MARIE NEWMAN
NANCY E. ROSENSTEIN
TARAZ SAMANDARI
BRUCE COLLIER TIERNEY
WERGONG ZHOU

To be senior assistant surgeon

DANIEL SETH BUDNITZ
SOJU CHANG
CATHERINE CHIA-SHINE CHOW
NANCY WATSON KNIGHT
DIANNA L. MAHONEY
JAY KUMAR VARMA

To be senior dental surgeon

WILLIAM F. CATELLI II
ELMER J. GUERRERO
SUZANNE KAY SAVILLE

To be dental surgeon

ANITA FARUQI ARNOLD
MOHAMED K. AWAD
MICHAEL J. MCLAUGHLIN
AARON R. MEANS, SR.
ROSS W. SILVER
RICHARD DEAN STRICKLIN

To be senior assistant dental surgeon

SCOTT WILLIAM BROWN
STEPHANIE M. BURRELL
WILLIAM J. ESPOSITO
LAURA REGINA FUENTES
PAMELA F. HAMILTON
CRAIG S. KLUGER
ANTHONY LAWRENCE LIKES
MICHAEL JEFFREY OVERBECK
ANGIE J. ROACH
JAMES W. SULLIVAN
BRIDGET R. SWANBERG-AUSTIN
LEIRA A. VARGA-DEL TORO
MELISSA JEAN WAGES
RANDLE LEE WELLS
STELLA YUK KWAN LAU WISNER

To be senior nurse officer

JEFFREY L. BRINKLEY
SHEILA D. CARNES
MARY HARDING
ROSA F. MYERS
LAURA E. SHAY
JEANETTE P. STUBBERUD

To be nurse officer

LARRY ALONSO
LYDIA ALVAREZ
YVONNE L. ANTHONY
LINDA JO BELSITO
PAULA ANITA BRIDGES
ANNETTE ROSEMARY DEBISSETTE
DAVID J. DINTELMAN
ALEX GARZA
WANDA W. GONZALEZ
TIMOTHY G. GRUBER
BLONDELL W. JOHNSON
RUTH KAWANO
KATHLEEN L. KNECHT
DOROTHEA E. LEVENHAGEN
SUZANNE V. LIPKE
DONNA M. RIBBONS
LINDA M. SCOTT
BEVERLY ANN SMITH
MICHAEL M. STEELE

To be senior assistant nurse officer

DAWN ANN-MARIE ANDERSON-GARY
VALENE NANCY BARTMESS
MARIE A. CASEY
WANDA D. CHESTNUT
SUSANNA NANSHIM CHOI
PAMELA M. COOK
SEAN TYLER CREIGHTON
EILEEN MARY FALZINI
SUZANNE S. M. FILLIPPI
REBECCA ANNE FOX
DION ERIC FRANKLUND
EDDIE L. FRAZIER
ANDREA M. GRIEF

TROY L. JOHNSON
CHARLES MICHAEL KERNS
TERRY KILPATRICK
JEFFREY D. KROUSKOP
THEL MOORE, JR.
FERREL V. NELSON
ANITA E. POLLARD
WILLIAM F. REKWARD
SHERBET LENORA SAMUELS
TANIA EVA SCHUPPIUS
HELEN S. THIRY-CHMELA
SEAN-DAVID A. WATERMAN
JENNIFER L. WILLIAMS
TRACIE L. WRIGHT

To be assistant nurse officer

GERI L. TAGLIAFERRI

To be senior engineer officer

DANA JAY BAER

To be engineer officer

MARC M. FLEETWOOD
ROBIN M. HOLDEN
SCOTT R. SNELL

To be senior assistant engineer officer

NEIL W. AUSTIN
SEAN M. BOYD
CHRISTEN P. GLIME
LEONARD E. HOTHAM
ERIC R. LINDMAN
JOHN DAVID MAZORRA
THOMAS J. MOELLER
JENNIFER E. MOSSER
MARK A. NASI
KENNETH J. RAMONDO
JONATHAN KENNEDY RASH

To be senior scientist

DEBORAH A. LEVY
REBECCA L. SHEETS

To be scientist

CHRISTINE JEAN BENALLY
HEIDI LYNN BLANCK
JOHN JOSEPH ECKERT
LAURENCE M. GRUMMER-STRAWN

To be senior assistant scientist

BORIS R. APONTE
ANGELA DINKINS COLEMAN
RHONDA LYNN KOCH
LISA NICOLE PEALER
DAVID ALAN THOMPSON
BETH CARLTON TOHILL

To be sanitarian

CHRIS B. BUCHANAN
MARSHALL S. GRAY, JR.
PATRICK J. HINTZ
GARY DAVID PERLMAN
EDWIN VAZQUEZ

To be senior assistant sanitarian

JASON EDWARD BARR
MARK A. BYRD
DAVID B. CRAMER
CELESTE L. DAVIS
THOMAS M. FAZZINI
JENNIFER A. FREED
BRIAN K. JOHNSON
TINA J. LANKFORD
DINO ANTHONY MATTORANO
ROBERT E. MCCLEERY
STEPHEN ROBERT PIONTKOWSKI
KEITH A. SCHWARTZ
JOHN W. SPRIGGS
MARK TURNER STRAUSS
CRAIG RICHARD UNGERECHT

To be senior veterinary officer

CLARA JOSTING WITT

To be veterinary officer

KIM D. TAYLOR

To be senior assistant veterinary officer

PRINCESS ROSE CAMPBELL

To be senior pharmacist

DANIEL A. DIGGINS, JR.
MURRAY F. POTTER

To be pharmacist

CHRISTINE S. CASTILLO
MICHELLE DILLAHUNT
SAMUEL LOREN FOSTER
SUSAN J. FREDERICKS
MARY ELIZABETH KREZMNER
NITIN KANTILAL PATEL
DAVID L. RANSOM

JILL G. REID
NITA SOOD
TODD MICHAEL STANKIEWICZ
BRENDA LUCY STODART
MELVIN P. TEMPEL
TODD A. WARREN
CHRISTINE HEEKYUNG YU

To be senior assistant pharmacist

IRENE AHLSTROM
MITZIE ALTHEA ALLEN
ROBIN ANN BARTLETT
BRADLEY MICHAEL BISHOP
MICHAEL P. BOURG
TIMOTHY R. BOWMAN
RENU CHHABRA
SHANNON LIN CORNELL
DARYL K. DINEYAZHE-TOYA
MICHAEL A. EDDY
DARYL K. GARVIN
DEAN TREVOR GOROSKI
ROBERT W. HAYES
GARY BRENT HOBBS
MARCI CATALANO KIESTER
CHRISTOPHER CLAYTON LAMER
JOY ELLEN LEE
MICHAEL P. LEE
CHRISTINA CATHERINE MEAD
NINA CYNTHIA MEZU-NWABA
JEFFREY TAUFIC MOUAKKET
TIMOTHY MICHAEL MURRAY
BRIAN MATTHEW NAROG
AMY L. OSBORN
LAURA LEA PINCOCK
VASAVI TIRUMURA REDDY
NORA LYNN ROSELLE
KENNETH R. SAY
RYAN RUSSELL SCHUPBACH
NATHALIE RENEE SEOLDO
MAYA ANGELOU THOMPSON
QUYEN TINH TIEN
TAMI N. VAUGHAN
GERARDO ZENON VAZQUEZ
BRIAN R. WREN
CATHERINE C. YU
MARYJO ZUNIC

To be dietitian

ANN MARIE STATEN

To be senior assistant dietitian

JANIS RAE ARMENDARIZ

To be therapist

RITA BAKSHI SHAPIRO
GARY WILLIAM SHELTON

To be senior assistant therapist

MARIA LEOLA BACILIO
KAREN EMI KAJIWARA-NELSON
JON MICHAEL SCHULTZ
JODI ANNE TANZILLO

To be health services officer

MARCIA FAYE BRITT
VALERIE ANTOINETTE DARDEN
GAIL ANN DAVIS
RAFAEL ALBERTO DUENAS
SHANNON B. FARR
WANDA L. FINCH
JANELLE M. FROELICH
JANET LYNNE HAWKINS
SHARYN MARIE HEALY
JOHN DENNIS JAWORSKI
DANA CORNELIUS JONES
STEPHEN CHRISTOPHER KELLER
ARNOLD KETCHUM
ELLJAH K. MARTIN, JR.
BARBARA A. MASSEY
SHEILA PACK MERRIWEATHER
DAVID JOSEPH MORRISSETTE
DENNIS SCOTT SLATE
GAIL S. WILLIAMS
GINA BURROUGHS WOODLIEF

To be senior assistant health services officer

LORRAINE NINO ALEXANDER
MARK A. BRYANT
JENNIFER MARIE CARD
MICHELLE ANDERSON COLLEDGE
ALI BEY DANNER
DIONE MARIE HARJO
NANCY RENATA MAUTONE-SMITH
RHONDA LYNN PLAQUE
JAMES R. REID II
CATHERINE T. SALISBURY
JAMIE ROBERT SELIGMAN
TORRIS CRAIG SMITH
SHERRY L. TAYLOR

To be assistant health services officer

TRACY JACINDA BRANCH
JENNIFER ANN DIPIETRA
RAQUEL ANTONIA PEAT

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

CARROLL F. POLLETT, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

DAVID W. WILSON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

LISA M. WEIDE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 531 AND 624:

To be major

KERRY K KING, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

LAWRENCE N. PETZ, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

YOLANDA RUIZISALES, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203 AND 12211:

To be colonel

PAUL G. ARBOUR, 0000
RALPH E. BAILEY, 0000
THOMAS H. BLACKSTOCK, JR., 0000
MARTA CARCANA, 0000
DAVID W. CAREY, 0000
KENNETH T. CHAMBERLAIN, 0000
RICHARD T. CURRY, 0000
GORDON L. ELLIS, 0000
RUSSEK N. FEASTER, 0000
WENDUL G. HAGLER II, 0000
DANIEL R. HOKANSON, 0000
DAVID W. MAJOR, 0000
CLIFFORD D. MCCABE, 0000
DENNIS R. MILLER, 0000
BRIAN A. MONTAGUE, 0000
GREGORY C. PORTER, 0000
JAMES E. PORTER, JR., 0000
SCOTT H. SCHOFIELD, 0000
SCOTT R. SMITH, 0000
RONNIE M. STRONG, 0000
DAVID A. STUCKEY, 0000
JAMES E. TAYLOR, 0000
DAVID S. VISSER, 0000
WILBUR E. WOLF III, 0000
JAMES P. WONG, 0000
JAMES M. ZARLENGO, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

ROBERT J. GALLAGHER, 0000

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

GEORGE A. QUIROA, 0000

To be lieutenant commander

JASON O. HEATON, 0000
PATRICK M. MCGILL, 0000
JOYCE C. ROSS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

CRISTAL B. CALER, 0000
KEVIN L. CRABBE, 0000
TRENT R. DEMOSS, 0000
MARK DOVER, 0000
ROBERT B. FARMER, 0000
DAVID FERREIRA, 0000
ALBERT R. MEDFORD, 0000
CHARLES K. NIXON, 0000
KIMBERLY J. SCHULZ, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MATTHEW I. BORBASH, 0000
MARC C. ECKARDT, 0000
MICHAEL A. KUYPERS, 0000
BRETT S. MARTIN, 0000
CATHERINE MCDUGALL, 0000
MICHAEL J. ROTH, 0000
FRANK M. SCHENK, JR., 0000
WILLIAM L. SOMMER, 0000
TROY J. TWOREK, 0000

ROBERT W. WITZLEB, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

LARRY J. CARPENTER, 0000
JEFF A. DAVID, 0000
JEFFREY D. GORDON, 0000
BRENDA K. MALONE, 0000
CARLA M. MCCARTHY, 0000
JENSIN W. SOMMER, 0000
PAULINE A. STORUM, 0000